

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

AMENDMENTS TO THE
ADMINISTRATIVE EXPENSES ACT
(Travel Expenses)



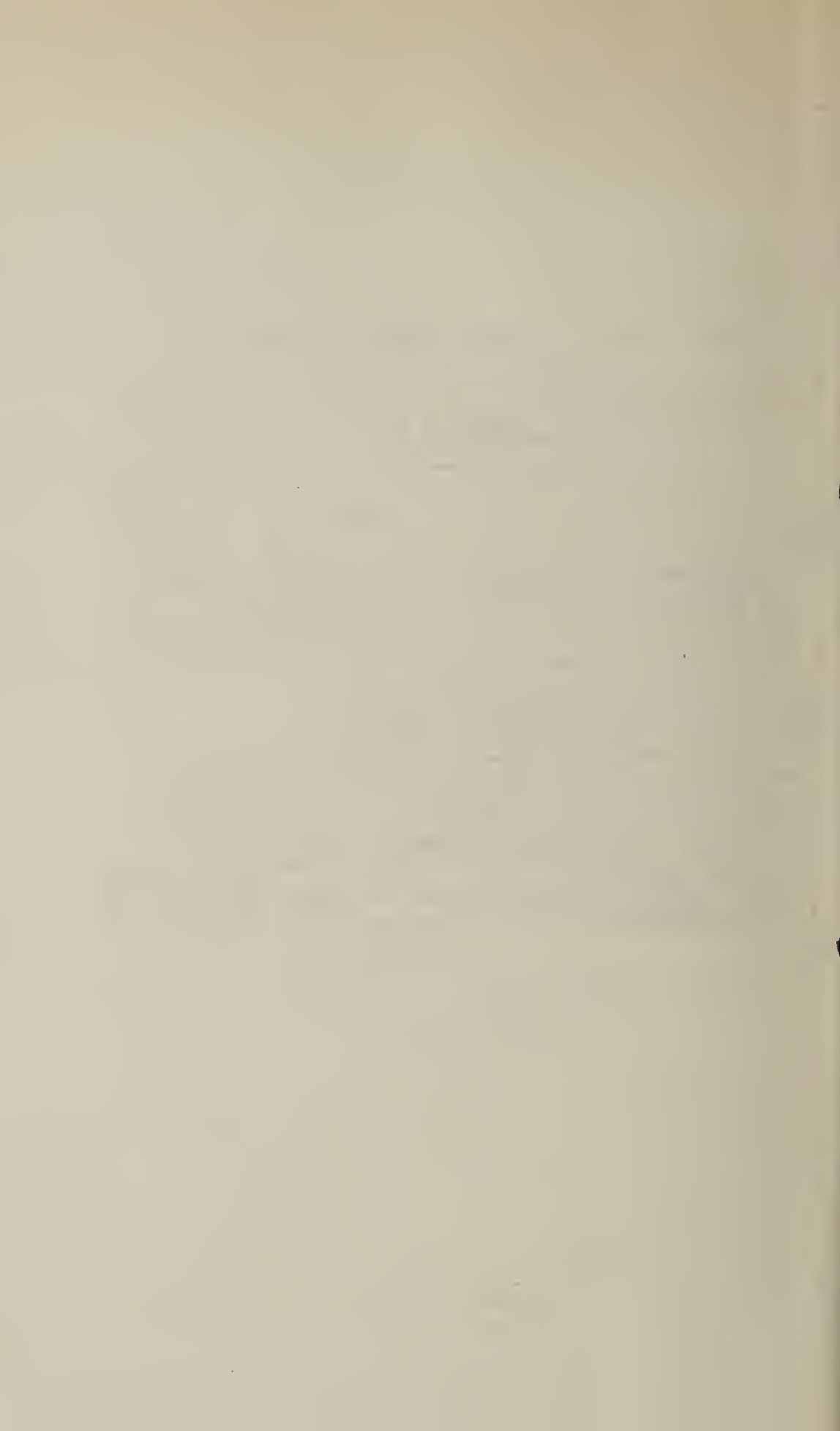
HEARING
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON
GOVERNMENT OPERATIONS
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION
ON
H. R. 11133 and S. 1903
BILLS TO AMEND THE ADMINISTRATIVE EXPENSES ACT

APRIL 23, 1958

Printed for the use of the Committee on Government Operations



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1958



AMENDMENTS TO THE ADMINISTRATIVE EXPENSES ACT

To Amend Section 7 of the Administrative Expenses Act of 1946, as Amended, To Provide for the Payment of Travel and Transportation Cost for Persons Selected for Appointment to Certain Positions in the Continental United States and Alaska, and for Other Purposes

WEDNESDAY, APRIL 23, 1958

HOUSE OF REPRESENTATIVES,
EXECUTIVE AND LEGISLATIVE REORGANIZATION SUBCOM-
MITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met, pursuant to notice, at 10:30 a. m., in room 1501B, New House Office Building, Representative William L. Dawson, chairman of the subcommittee, presiding.

Present: Representatives Dawson, Brown, and Michel.

Also present: Elmer W. Henderson, counsel; David Glick, legal analyst; and Lawrence Redmond, clerk.

Chairman DAWSON. Let the meeting come to order. We are happy indeed to have with us Mr. Ellsworth, the new chairman of the Civil Service Commission. I got to know your predecessor quite well and had many very fine experiences with him.

We will try to get this out in time this year for the Senate to act on it. They did not have time last time.

These hearings are being held by the Subcommittee on Executive and Legislation Reorganization as part of its consideration of H. R. 11133 and S. 1903, both bills having to do with travel expenses of Government employees.

We will take up H. R. 11133, which was introduced at the request of the United States Civil Service Commission. This bill is identical with H. R. 11515, which passed the House but died in the Senate in the 84th Congress.

Our first witness will be Mr. Harris Ellsworth, Chairman of the Civil Service Commission.

Before we call on you, Mr. Ellsworth, I think we will have the bill read by Mr. Glick.

(H. R. 11133 is as follows:)

[H. R. 11133, 85th Cong., 2d Sess.]

A BILL To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further amended by

inserting "(a)" after the section number and by adding at the end thereof new subsections as follows:

"(b) Appropriations for the departments shall be available in accordance with regulations prescribed by the President, for expenses of travel of persons selected for appointment to positions in the continental United States and Alaska for which there is determined by the Civil Service Commission to be a manpower shortage and for expenses of transportation of their immediate families and their household goods and personal effects and for advances of funds to the extent authorized by section 1 (a) and (b) of this Act, from their places of actual residence at time of selection to their first duty station. Such travel expenses may include per diem and mileage allowance for persons selected for appointment as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended. Travel and transportation expenses may be allowed whether the person selected for appointment has been appointed or not at the time of such travel. However, the travel and transportation expenses authorized by this subsection shall not be allowed unless the person selected for appointment shall agree in writing to remain in the Government service for twelve months following his appointment unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States on account of such travel and transportation shall be recoverable from the individual concerned as a debt due the United States.

"(c) Appropriations for the departments shall be available in accordance with regulations prescribed by the President for expenses of travel while away from their homes or regular places of business of persons who are found qualified to perform in positions for which there is determined by the Civil Service Commission to be a manpower shortage and who are invited by an agency or department to visit it for purposes connected with employment. Such travel expenses may include per diem in lieu of subsistence and mileage allowance as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended.

"(d) The authority of the Civil Service Commission to determine for purposes of this Act positions for which there is a manpower shortage shall not be delegated. The provisions of subsections (b) and (c) of section 7 of this Act shall expire five years from the date of their enactment into law."

STATEMENT OF HARRIS ELLSWORTH, CHAIRMAN, UNITED STATES CIVIL SERVICE COMMISSION; ACCOMPANIED BY WARREN B. IRONS, EXECUTIVE DIRECTOR, UNITED STATES CIVIL SERVICE COMMISSION

Mr. ELLSWORTH. Mr. Chairman and members of the committee, I have with me at the table Mr. Warren Irons, the Executive Director of the Civil Service Commission. Mr. Chairman, I have a statement which I would be glad to read at this time.

I am very glad to have a chance to appear before this committee on this bill, H. R. 1133. This legislation was developed by the Civil Service Commission and has the full support of the administration. Its purpose is to assist the Federal service in recruiting the highly qualified and specialized work force needed to meet the unprecedented problems which Federal agencies face today.

Your subcommittee previously considered a bill similar to H. R. 11133 to pay the travel and moving expenses of new employees, in shortage categories. In July 1956, Mr. Macy, former Executive Director of the Commission, testified on that bill which was H. R. 11515 of the 84th Congress. Your subcommittee amended the bill in several respects and then reported it favorably to the House where it was passed. The bill you have before today is identical to the one which you reported out favorably and which passed in the House of Representatives. In submitting the current proposal to the Congress, we included the very fine amendments which your subcommittee made to our previous bill.

The need to pay travel and moving expenses for new employees in shortage categories has become intensified in a number of respects since we submitted our initial proposal along this line. We have suddenly found ourselves in an age where we will soon be exploring the outer reaches of space, an age where satellites, rocketry, and lunar probes are becoming household words. This is an age which the Government laboratory and research centers had much to do in bringing about and in which our laboratories will continue to have a vital and leading role. As we gather new understanding and new knowledge about the universe, our requirement for manpower in many technical fields will grow, too. Yet it is in these very technical fields that the most serious manpower shortages occur today and are likely to continue in the future.

To play the important role assigned to them in the space age, Government laboratories and research centers must be able to attract highly qualified persons with ability and competence. We believe that the Federal Government should be able to attract the best talent that our colleges and universities are producing. In occupations in which there are numerical shortages, there are even more serious shortages of quality. The Government as an employer must do all that it can to attract the highly talented man and woman. It must remove any roadblocks in the way of recruiting the best person for the job. Failure to pay travel and moving expenses for new employees is such a roadblock. The legislation you are considering today would put the Federal Government in a more competitive position with private industry in recruiting highly qualified persons in shortage categories.

Despite recent changes in the labor market, critical shortages of highly trained specialists remain in many occupations. Our most recent information indicates that there is a strong and continuing demand for highly skilled scientists and engineers on the part of industry and universities. The Bureau of Labor Statistics indicates that shortages of trained manpower will continue for a number of years until the supply produced by our universities tends to catch up with the demand.

The Civil Service Commission and the executive branch as a whole have already taken a number of steps to improve the ability of the Federal Government to recruit personnel in shortage categories. Action has been taken within the limitations of current legislative authority to increase the pay of certain categories of scientists, engineers, and other technical personnel. An administration pay proposal is now pending in the Congress. The Commission has made a number of changes in its recruitment methods and hiring practices to give agencies the maximum opportunity to compete with other employers in the search for highly qualified personnel. The authority to pay travel and moving expenses for new employees and the payment of travel costs of qualified applicants to visit Federal installations, as provided in H. R. 11133, is simply another one of the ways in which the ability of the Government to attract the highly qualified people it needs could be materially improved.

In recruiting personnel, the Government is in competition with private employers. Private employers generally pay travel and moving expenses for their new employees, particularly those in the technical skills they need and those in administrative and technical

positions. The Federal Government does not pay similar expenses for its new employees. To ask a person to absorb a costly moving bill and the cost of transporting himself and his family is like asking him to take that much of a reduction in salary. In today's labor market with the shortage of trained and specialized talent, this simply means that the Government fails to get the kind and quality of people it needs to do the important jobs that must be done.

Government contractors, we find, pay the travel and moving expenses of their employees. This is true in their private operations as well as in their work for the Government. When we surveyed the practices of contractors doing work for the Atomic Energy Commission, we found that 25 out of 27 of them paid all the persons' travel expenses and all transportation cost for household goods and for newly hired professional employees. These 27 contractors together employed at the time of our survey 75 percent of all private employees on Atomic Energy Commission work.

A survey of the Office of Naval Research contractors showed that at least 75 percent of them paid the moving expenses and personal and family travel costs for new employees in shortage categories.

The Air Research and Development Command had at the time of our survey about 145 contractors of the large industrial type. Ninety percent of them paid moving and travel expenses for new employees and their families.

In all of these contracts these expenses were recognized as proper costs of the project and the contractor was reimbursed for them by the Federal Government. It is important to note, however, that these contractors follow the same policy in connection with their private operations as they do on Government contract work. In other words, they do not do this only when reimbursed by the Government.

The New York Times of April 20, 1958, just last Sunday, showed a number of private companies offering the payment of travel and moving expenses in their advertisements for scientific and engineering personnel.

Mr. Macy, the former executive director, in his testimony before your subcommittee pointed out specific instances where the Government had lost the chance to hire qualified people because travel and moving expenses were not paid. Interested people often become disinterested when they find that their travel and moving expenses will not be paid. One example of this is shown by a survey which was mentioned in previous testimony that was conducted by a board of United States Civil Service Examiners servicing a number of important naval installations on the west coast. This board sent a questionnaire to several hundred persons who had shown interest in Federal employment but had later accepted jobs in private industry. More than half of such persons who replied to the questionnaires stated that one of the reasons they did not accept the Government's offer was the fact that the Government would not pay their travel and moving expenses.

Additional examples are given in the statement of purpose and justification which we forwarded to the Congress with the proposed legislation. We believe this situation continues today in the technical occupations, and particularly with respect to the highly qualified people who could make significant contributions to important Government scientific and engineering programs. A recent (1957) survey

by a Government agency of manpower requirements in the chemical industry showed that the practice of the larger companies was to pay the travel and moving expenses of new engineering and scientific employees.

Another limitation on the ability of the Government to recruit highly qualified personnel in short supply is its inability to pay travel expenses to bring persons into the Government laboratories for pre-employment interviews. The kind of equipment a man will have to work with, who his coworkers will be, the kind of living conditions his family will have, all these are important factors in deciding whether or not to take a Government position. Industry has long been aware of this. At the time of our survey, 21 of the 27 largest Atomic Energy Commission contractors paid the cost of travel to their plants and laboratories for preemployment interviews in connection with filling key scientific and technical positions. Contractors for the Office of Naval Research and for the Air Research and Development Command also paid such travel costs. The recent survey in the chemical industry which I mentioned before showed that many chemical companies were also paying the travel costs for plant visits prior to employment.

The Government has an important recruitment advantage in the excellence of its laboratories, equipment, and physical plant. We also have a number of the foremost scientific and technical people in the world on our rolls. They are working on challenging new problems. All of these things can be and are powerful inducements in the recruitment of able, dedicated scientists and engineers. However, we cannot capitalize on this advantage unless we can bring qualified people in to see the physical plant and meet the people with whom they are going to work.

We therefore need not only authority to pay the travel and moving expenses of newly hired employees but also the authority to bring fully qualified people in to the Government installation to see the physical plant, meet the people, and find out about the work and living conditions. This authority would be used only for those prospective employees who were found to be fully qualified beforehand, and where enough real interest has been shown that there was a reasonably good chance that the applicant would be employed.

The need for the payment of these expenses extends beyond scientists and engineers to many other occupations for which there is a manpower shortage. Many of the support occupations in the scientific and engineering fields remain in short supply. There are shortages in the medical and public-health fields. There are shortages in key professional jobs in many agencies. Some shortages are nationwide; others are purely local. Shortages in Alaska are an example of geographical manpower shortages affecting almost all occupations.

Industry does not confine these payments to scientists and engineers. Private companies use it to increase their ability to attract people when they need them. The Government should be able to do the same thing. Flexibility to meet the kinds of shortages that occur is important if this legislation is to be of maximum benefit to the Government.

Under the proposed legislation, we expect that the payment of travel and moving expenses of newly hired employees and the payment of travel costs of applicants will be governed by regulations

prescribed by the Director, Bureau of the Budget. The Director now has the responsibility for prescribing other travel regulations.

The Civil Service Commission would have the responsibility for determining which positions are in short supply. This provision is extremely important in order to keep administration of this legislation abreast of changes in the labor market. We plan, if this bill is enacted, to restrict its application to those positions where manpower shortages exist and where it appears that the use of this legislation would aid in recruitment. The Civil Service Commission has had considerable experience in identifying shortage occupations. We now do this under section 803 of the Classification Act of 1949, as amended, in determining when payments above the minimum of the grade are appropriate. We expect to apply the same general principles and procedures as we now use under section 803 in determining those shortage positions to which this legislation would apply.

The Commission would also consider an agency's proposal to pay these expenses for particular positions not otherwise provided for when a showing was made that there was a need in the particular agency or installation. Where the supply became ample for any position, the legislation would not longer apply to them.

Funds to pay travel and transportation costs authorized by this proposed legislation would be secured by individual agencies through their appropriation requests to the Congress. The fact that the Civil Service Commission will determine the particular positions for which the payment of travel expenses may be made, and the fact that agencies must justify to the Appropriations Committees of the Congress the funds which would be used for this purpose, will assure that this authority would be administered in the best interests of the Federal service.

There is another important safeguard in the proposed legislation. Employees must agree in advance that they will reimburse the Government if they leave the Government service within 12 months after their appointment except for reasons beyond their control and acceptable to the Department or agency concerned. This safeguard is similar to a provision in current law for the payment of travel and moving expenses of employees to overseas stations. We believe that it will insure that the Government gets a fair return for the money expended.

In our justification statement, we estimated that the annual cost involved in filling about 4,000 positions will be approximately \$4,500,000, including the cost of preemployment interviews.

We believe these estimates are reasonably close. They were based on expected number of hires in shortage occupations given to us by the Federal agencies and on the average cost of travel and moving based on actual transportation costs.

Mr. Chairman, we believe that the cost of legislation will be well repaid by the increased ability of the Government to attract highly qualified scientific, engineering and other shortage category personnel to meet its responsibilities now and in the challenging years ahead.

I wish to thank you for your kind attention. I would be glad to attempt to answer any questions.

Chairman DAWSON. Mr. Brown.

Mr. BROWN. As I understand it, Mr. Chairman and Mr. Ellsworth, this legislation is identical with the measure that passed the House

last year, although I am not sure in my own mind what happened to the legislation in the Senate. Did it simply sleep away there, was it defeated in committee, or was it brought up and defeated on the floor?

Chairman DAWSON. I think it slept there. I think it died of old age.

Mr. ELLSWORTH. I cannot answer precisely, but it is my recollection that it never reached the hearing stage. It simply was late in the session, and it was not taken up.

Mr. BROWN. Now, as I understand this bill, this is a one-shot arrangement which you propose, so employees get this travel only once when they are hired.

Mr. ELLSWORTH. That is right.

Mr. BROWN. And if they go to Alaska or someplace else, they do not get it every 2 years.

Mr. ELLSWORTH. That is right; just the first hiring.

Mr. BROWN. The first hiring?

Mr. ELLSWORTH. The first hiring.

Mr. BROWN. I ask that question because we also have before us today S. 1903, which has passed the Senate of course, and which provides that travel to and from the United States shall be permitted, seemingly, every 2 years; but I think there might be a joker in this bill for persons who are assigned overseas and who have been confirmed by the Senate. Now, as I understand it, travel allowances of this type are made for military assignments overseas and for regular workers' assignments overseas on a 2-year tour of duty basis instead of 1 year.

Mr. ELLSWORTH. I think that is right.

Mr. BROWN. I am wondering why it would not be a little more protective of the Government to provide they must stay 2 years instead of 1 year. Twelve months seems to be a short time. They just get acclimated in the job in 12 months.

Mr. ELLSWORTH. That would be a matter for the judgment of the committee.

Mr. BROWN. That is the usual length of time. I think it goes a little further in some of the services, where men graduating from the service Academies agree to stay 5 years, and certain medical appointees and others must agree to stay as long.

Mr. ELLSWORTH. I am not familiar in detail with this other bill that you mentioned. I am under the impression, however, that that has somewhat to do with home leave; does it not?

Mr. BROWN. That is right.

Mr. ELLSWORTH. So there would be a different point involved there.

Mr. BROWN. I understand that, but it just seems to me that a year's tour of duty is a little short to get your expenses paid over there and back, and your moving, and so forth and so on.

Mr. ELLSWORTH. This is just one way.

Chairman DAWSON. This does not say anything about getting back.

Mr. ELLSWORTH. A one-way trip.

Mr. BROWN. Of course, you and I know the Government will bring them back. You do not need to worry about that. Travel to Hawaii from their homes, and whether they are going to or from.

Mr. HENDERSON. Alaska is the only overseas place involved in this bill.

Mr. BROWN. What about Hawaii?

Mr. ELLSWORTH. The bill mentions Alaska but does not mention Hawaii.

Mr. BROWN. There is a great argument before some of our committees now as to statehood for Hawaii and Alaska and whether Alaska and Hawaii, either one, is part of the continental United States. Some people say that they are, and some people say they are not. I never knew very many rulings handed down on spending the public money that was in favor of the Government, and I am just wondering how much damage it might do, or how much more difficult it might make your work and your procurement, if we made it 2 years instead of 1 year. That is the normal tour of duty for most people, military service and otherwise.

Mr. ELLSWORTH. Do you have a thought on that, Mr. Irons?

Mr. IRONS. I believe we initiated the 12 months in the bill last year. That fits in with our normal probationary period in the civil service, and in civil service we do not normally think in terms of 2 years the way the military does.

Mr. BROWN. Of course, you have an arrangement in here that for any practical reason they are not held to it. That would mean, of course, that regardless of the probationary period, if they were found unsatisfactory, the money would not be reclaimed.

Mr. IRONS. That is correct.

Mr. BROWN. They would be sent home or sacked, and if they do prove satisfactory I think you would be interested in keeping them there a reasonable length of time.

Mr. IRONS. Yes.

Mr. BROWN. Which would be 2 years rather than 1 year.

Mr. IRONS. It would be for a lifetime preferably, sir, not even 2 years.

Mr. BROWN. I would not say that a reasonable length of time should simply be the probationary period. I do not want to make too much of a point of it. It passed the House this way. I think perhaps one reason the Senate did not take action was because the time was a little short.

That is all I have, Mr. Chairman.

Chairman DAWSON. Mr. Michel.

Mr. Michel. No questions, Mr. Chairman.

Mr. HENDERSON. Mr. Ellsworth, do you feel this bill would create any pressure on the part of people in other occupations to have the same benefits applied to them?

Mr. ELLSWORTH. Yes; we would probably experience similar pressure with respect to this legislation as we have with respect to the authorization in section 803, which we have lived with now for quite a little while. It is just natural that everybody would like to have the provisions of this bill. It is equally certain that the Commission could not authorize everybody to have those provisions. With this, like many of the other things that we have to do, we have to use our very careful and best judgment and stand by our decisions and hope we are right.

Mr. HENDERSON. Do you think, Mr. Ellsworth, that if this were enacted it might put prospective scientists and engineers in a mood

of shopping around from one Government laboratory to another and being shipped to more than one place?

Mr. ELLSWORTH. I do not think that could happen, because whether or not an applicant goes to a laboratory it is at the laboratory's or the hiring agency's discretion. They can invite a person to come for a preemployment interview or not, and it is quite likely if a man has gone to one place and has had an offer and has not accepted it he probably would not be invited any more.

Mr. BROWN. I have a son-in-law and daughter in California I would like to see very much. If I should be defeated for reelection, and next winter he has one of his friends in a defense industry suggest they might have a place for me if I would come out and apply, it would make a nice way for me to make an expense-paid trip; would it not?

Mr. ELLSWORTH. It might work.

Mr. BROWN. Of course, I would get caught at it, but I am not sure about anyone else.

Mr. ELLSWORTH. I expect that would depend on the judgment of the agency head.

Mr. BROWN. We have not always been overly impressed by the judgment of all the agency heads with whom we have come in contact in the last 25 years.

I am wondering about another thing. For instance, we are laying off a lot of men out at Wright-Patterson and other airbases because of change in equipment, and from gasoline-powered planes to jet planes. What about those individuals who have some civil service rights and standing, long years of service? What about them going out and looking for another job in these different agencies? Would they get their travel? They are entitled to reemployment, or supposed to be. I do not see many of them reemployed.

Mr. ELLSWORTH. I believe quite a high percentage of the career employees who have been "r. i. f. d.," as we say, have actually been reemployed in other jobs.

Mr. BROWN. Suppose they have to go, in order to make their living, out to Arizona, we will say? Does the Government pay that?

Mr. IRONS. No; they do not.

Mr. BROWN. They would not be in quite as good a position after having worked for the Government for 12 or 20 years as some individual who had never worked for the United States and just wanted to get a new position; is that right?

Mr. ELLSWORTH. I assume if they were in the shortage category they could become applicants and come under this.

Mr. IRONS. They would have to be in the shortage category.

Mr. BROWN. I brought that up because I know we have employee surpluses in different places. When we lay somebody off, we may have great shortages in the same category someplace else.

Mr. ELLSWORTH. We have just made a check of the shortage categories as of today. As you point out, this does change from time to time. Right as of April 22, yesterday, for example, there were eight specific shortage categories: electronic scientists, chemists, physicists, particularly in what they call solid state physics, electrical engineers of all grades, electronic engineers of all grades, mathematicians from GS-7 up are short, metallurgists have been and are short, and ceramic engineers are short. My guess is that the people

in those categories would not be laid off. Therefore, the point you make probably would not apply, and if they were laid off they would certainly be called immediately somewhere else.

Mr. HENDERSON. So just because they are short in one section of the country does not mean that there may not be a surplus somewhere else, and if that surplus did exist these provisions would not apply?

Mr. ELLSWORTH. I do not believe they would.

Mr. IRONS. Normally, sir, the shortage areas are usually on a national basis. Now, we have some instances where there is a shortage, say, in San Diego but not in Boston. In those cases we merely declare the shortage area to be San Diego, and the rules here would apply only for positions in the San Diego area.

Mr. HENDERSON. Then you would pay people to go from Boston to San Diego?

Mr. IRONS. Yes; if we were still declaring that to be in a shortage category.

Mr. HENDERSON. Even though the people that you want actually existed because there would be a surplus in Boston?

Mr. IRONS. Let me make it clear that this legislation would permit that. Whether the Commission would decide to do it or not is something else again. You have to appraise these situations as they actually arise.

Mr. HENDERSON. Mr. Ellsworth, if this law were in effect now would the occupations that you mentioned be the only ones?

Mr. ELLSWORTH. No, it would not. I merely gave those as being the results of a survey as of yesterday. We made a quick check, and these are clearly in shortage. Now, there undoubtedly would be others, but that would have to develop from the agency requests.

Mr. HENDERSON. Mr. Ellsworth, you estimate this bill would cost an additional \$4,500,000 yearly. Could you break that down between the preemployment interviews and the moving expenses to the job?

Mr. ELLSWORTH. It would be difficult. First of all, these are not precise figures; they are the best estimates that we could arrive at. We take an average mileage, for example, and we estimate that of the 90,000 interviews, 4½ percent of them might be in these categories, and that the average movement of household goods of 4,000 pounds, we will say, will be \$800, and by making the necessary multiplication we arrive at the \$4,500,000. Actually, the preemployment interview would not average more than \$150 each, and it is not our thought that that would be a very big part of the \$4,500,000. But it would be a little difficult to break it down.

Mr. HENDERSON. Would it be fair and reasonable in your judgment if this bill were limited to occupations in which the general practice that we are referring to does exist in industry? This bill would apply to all shortages, all occupations in the shortage category.

Mr. ELLSWORTH. So declared by the Commission; yes.

Mr. HENDERSON. Only certain industries provide these benefits for their prospective employees, and I presume only in certain occupations. One of the arguments for the bill is that this would put the Government in a better competitive position with those industries that do that.

Mr. ELLSWORTH. I think the better terminology would be to use the word "company," because I think you would probably find companies in different industries here and there who would do this thing. We just clipped out some advertisements from the New York Times for Sunday, April 20, if the committee would like to look at them. Here is a company in Waltham, Mass.—"Interview and relocation expenses will be paid by Sylvania." With reference to Grumman, the aircraft engineering corporation—"We pay moving expenses." In the ad by Airborne Instruments Laboratory, Inc., it says, "General benefits program and relocation expenses."

Mr. IRONS. I wonder if I might comment a little further in response to that question. This bill is far more conservative than is the usual industry practice in paying costs of travel to the first point of duty. We are limiting it here to merely the shortage, where we have officially pronounced shortage categories, and to further impose a restriction on the Civil Service Commission that it has to survey companies as well, to see whether they generally follow this practice it seems to me is really not necessary properly to appraise the situation. As a matter of fact, industrial practice is far broader than just the shortage category, far broader.

Mr. BROWN. Of course, part of the answer to the problem may be found in Congress passing a law to prohibit private industry from including, as a part of their charges against the Federal Government on a cost-plus basis, these different payments for travel for engineers, and so forth. I was in one plant not too long ago and the janitor was called "a sanitary engineer." Of course, he was getting pretty good pay, but the industry did not care very much because they put a little percentage of profit on top. Some of this has gone, as they say about Kansas City, "about as far as you can go." So that might be a partial answer to your problem here. I suspect there might be a few of these people holding Government contracts that are not too much interested in holding down the number of employees or the cost thereof, so long as they get their profits on a cost-plus basis. I presume in these shortage categories we have to do something, but we are competing with ourselves. The Government is going to pay this in order to compete with what the Government pays to private contractors.

Mr. MICHEL. And those industries cited are all doing business with the Federal Government to a great extent.

Why would there be a limitation of 5 years? Is this in your judgment, Mr. Ellsworth, just a temporary inducement that is needed, or as so many things that are temporary will this eventually be permanent? Having been a former Member of the Congress, and knowing full well how we like to take another look, I am sure you have an opinion on this.

Mr. ELLSWORTH. Of course, one thing that I recall in the years I was here is that most of the legislation on which we very sagely put limitations is still in effect, with the limitations continued each time. Seriously, though, I think the purpose of this sentence is to say in effect that this is something we have not done before, so instead of writing it into the permanent law of the land irrevocably we put a 5-year limitation on it to have a look. I am not sure whether that was in the original bill as submitted a year ago or whether it was

put in as a committee amendment last year, but I think probably the committee might have added that to the bill last year.

Mr. MICHEL. To make it a bit more palatable.

Mr. ELLSWORTH. As a safeguard.

Mr. GLICK. Mr. Ellsworth, I have a question which might be of interest to the committee. On page 8 of your statement you indicate that the agencies would secure funds for payment of these expenses from their appropriation requests to the Congress. To apply for those funds, would there first have to be a determination by the Civil Service Commission that there is a shortage existing and the funds so earmarked, or could they apply for funds on the contingency that a shortage will exist?

Mr. ELLSWORTH. They already have a basis on which to do some figuring because of the 803 authority which we have in the Classification Act to increase the pay in shortage categories to the highest step in the grade. Now, since most agencies have already made application and have had that particular point adjudicated by the Commission, most any agency now could figure out rather closely how much they are going to need for the interviews and the in-hiring. They know what the rate of turnover has been. They know what their rate of applicants has been, and so on. I think probably that would be the answer to that particular question.

Mr. IRONS. It would be a part of the regular travel request. We ask the Congress for so much for travel. We have to allocate that among investigations and examinations, and so much for this kind of thing here.

Mr. GLICK. Specifically, would the Commission determine in advance that a shortage exists prior to the request for funds?

Mr. IRONS. No.

Mr. ELLSWORTH. Not specifically beyond the limits that I just gave. Actually, an agency could guess pretty closely what the Commission is going to do. If they have a definite shortage category, they know it, and they doubtless can prove it. It has been our experience with 803 that they very seldom make a request that is not well documented. I do not think you would have too much trouble. Besides, I do not believe the appropriation request would cite a specific amount. I think it would be in the lump travel sum, but with this as part of the justification for the lump sum, which would mean it could go and come materially within the travel appropriation.

Mr. GLICK. I take it from what you have said that the agency would inform the Civil Service Commission that in their opinion a shortage in a certain field exists and request Civil Service to certify that?

Mr. ELLSWORTH. That would be the case if it had not already been determined previously.

Mr. HENDERSON. Mr. Chairman, the General Accounting Office has made a couple of suggestions for amendments to the bill, and I would like to have your views on them, Mr. Ellsworth. They propose that a weight limitation be placed on moving personal effects and household equipment.

Mr. ELLSWORTH. I think that is entirely reasonable.

Mr. HENDERSON. Would you have a suggestion as to the amount?

Mr. IRONS. I would like to ask GAO what it is they suggest as the weight limitation.

Mr. JAMES CAMPBELL (GAO). We should think you would use the same weight limitations as presently are used under Executive Order No. 9805.

Mr. GLICK. Will you please identify yourself.

Mr. CAMPBELL. My name is James Campbell, from GAO.

Mr. BROWN. What are those weight limitations?

Mr. CAMPBELL. I believe, sir, the net weight limitation is 7,000 pounds today. It would be very easy to verify it, but to the best of my recollection that is what it is, and a gross weight I think of 8,750.

Mr. ELLSWORTH. I wonder if I could ask whether that would not be covered under the section of the bill which provides that the Bureau of the Budget sets up the regulations. I do not know whether that section covers it or not, but it might.

Mr. CAMPBELL. It could be handled by regulation. I think we recognize in our report that perhaps the Congress would want to consider it a matter properly for regulation, but also if you wanted to insure that the limitation not be exceeded it could be put in the law.

Mr. HENDERSON. Would you have any objection to that, Mr. Ellsworth?

Mr. ELLSWORTH. We would have no objection to a proper and reasonable limitation that was in conformity with other law. I do think it could be done administratively through the Bureau of the Budget requirement, and just as a matter of preference I would rather see it done that way, but as I say we have no objection if the committee wants to add that limitation.

Mr. HENDERSON. Mr. Campbell, would you explain your other suggestion about the commuted basis?

Mr. CAMPBELL. There is another point that we raise there. We have held in numerous decisions over the years that you cannot make a commuted payment in lieu of an actual expense payment unless commutation is authorized by law. With respect to household-effects shipments, the law presently provides that where a shipment is made between two points within the United States it shall be made at a commuted rate established by the Bureau of the Budget. For those shipments involving overseas transportation, it is made on an actual expense basis. Our only point here was if you want to authorize a commuted payment for these shipments, such as is now provided under section 1 of the Administrative Expense Act, then this act also should expressly provide for payment on a commuted basis.

Otherwise, by decision, we might be required to hold that a man would be entitled only to the actual costs of the shipments involved.

Mr. MICHEL. What do you mean specifically when you say "commuted"?

Mr. CAMPBELL. "Commuted," I would say, is a term used to authorize a payment of an estimated cost of shipment of effects under appropriate regulations without a showing of each item of costs and having an employee specifically prove it.

For instance, under Bureau of the Budget regulations you figure out the distance to be traveled. You figure out the weight of effects. And you say a man moving this many effects over this distance is entitled to so much reimbursement. That is reimbursement at a commuted rate.

Mr. BROWN. But that rate would vary according to the amount of the weight?

Mr. CAMPBELL. Weight and distance.

Mr. BROWN. And the distance.

Mr. CAMPBELL. Yes, sir.

Mr. BROWN. Now, certainly there ought to be no difference between the two thoughts there and that is they should be reimbursed for the actual expense. You do not have anybody making a profit off these shipments; do you?

Mr. CAMPBELL. Well, not normally. I mean it could operate that way in individual cases. But I think experience has shown that generally they get reimbursed maybe a little less than cost in a lot of situations under the commuted basis. But it does away with all the tremendous problem of verifying receipts, of having a man send in receipts in the first place, and then checking those receipts and verifying amounts and making payments on the basis of actual costs expended.

Mr. BROWN. Let me ask you one other question. If this bill were enacted into law, would the Government pay for crating all the furniture?

Mr. CAMPBELL. We think that could be handled by regulation.

There is one item here, however, which also under our decisions we feel should be expressly inserted in this bill, and that is for temporary storage.

We have held that laws authorizing transportation do not necessarily include authority to store goods for any period of time and that if a provision is intended or if authority is intended to allow these employees to temporarily store their goods incident to a move, then we should have express authority in this law for that purpose.

Costs of packing and crating, I think probably you could say by regulation that is part of transportation, because you have got to pack effects before you can ship them.

Mr. BROWN. Crating is pretty expensive and pretty heavy; isn't it?

Mr. CAMPBELL. That is right.

Now, I should like to point out that the Administrative Expenses Act specifically spells it out. It says packing, crating, unpacking, uncrating, temporary storage. And I should think it would be desirable to do the same thing in this law.

Mr. BROWN. We once had a case before this committee as to the cost of sending a youngster's tricycle overseas. You could have bought a dozen tricycles overseas cheaper than crating and shipping the one.

There are a lot of foolish, simple, and stupid things done by a lot of Government officials, so I am just wondering how close we are going to check on that.

Mr. CAMPBELL. Those overseas shipments present a very difficult problem, especially where they are shipped by vessel. Lots of times they have to crate them excessively heavily because other cargo is thrown in on top of them, and unless they are adequately crated they would not be protected.

Mr. BROWN. I hope that tricycle was not injured.

But, now, the other thing I have in mind, of course, about this temporary storage, is this: If a fellow is going to stay only 12 months,

that temporary storage cost could not amount to too much if he never uncanted it; could it?

Mr. CAMPBELL. I think the present law is 60 days.

Mr. BROWN. Is there a limitation on the length of time?

Mr. CAMPBELL. Sixty days under present law is the limitation. In other words, when a man moves, it may be that he does not have a residence.

Mr. BROWN. If he cannot find a house. I understand.

Mr. CAMPBELL. He would have to put his goods in temporary storage.

Mr. MICHEL. Would you say in a general way that the rules and regulations applicable to the military services and their movement of family and household goods would be the same for civilian components as in the Civil Service?

Mr. CAMPBELL. Well, you understand, today they are different. There are two different systems for military and civilian. And I would think that this bill should be in accordance with the general rules regulating civilian shipments that are in effect today. I take it you—

Mr. MICHEL. Should there be any marked difference between the two?

Mr. CAMPBELL. On the whole?

Mr. MICHEL. Yes.

Mr. CAMPBELL. That would be something that I would not really be prepared to answer at this time, something we could take under advisement. There are pros and cons on the thing. In some cases it might be that the actual expense basis of shipment which is used by the military would operate maybe a little less expensively than the commuted-rate method used for civilians. In other cases we find the commuted-rate method would operate more economically for the Government.

So I would not like to say on a general basis that one system is better than the other without a thorough study of the matter.

Mr. MICHEL. I take it then no study has been made by the General Accounting Office?

Mr. CAMPBELL. I do not think we have made a study, sir.

Chairman DAWSON. If there are no further questions, thank you very much, Mr. Ellsworth. We enjoyed your return to the Hill so much.

Mr. ELLSWORTH. Mr. Chairman, Mr. Irons would like to add one sentence.

Mr. IRONS. I would like to say this: The General Accounting Office has offered some suggestions that seem to have merit. They are technical, and we in the Civil Service Commission are not technicians in this field of travel and transportation as GAO and the Bureau of the Budget are. But I just want to make certain the staff understands and you understand, sir, we will be very glad to help in any way that we can on perfecting language. If necessary, give us a ring.

Chairman DAWSON. Thank you.

**STATEMENT OF JAMES CAMPBELL, ATTORNEY, OFFICE OF THE
GENERAL COUNSEL; ACCOMPANIED BY CARL P. FRIEND,
ATTORNEY, OFFICE OF THE GENERAL COUNSEL; AND OWEN
A. KANE, OFFICE OF LEGISLATIVE LIAISON, GENERAL
ACCOUNTING OFFICE**

Chairman DAWSON. Did you have any other statement, Mr. Campbell?

Mr. CAMPBELL. I do not believe so. There is one point that was raised during the discussion here this morning concerning the length of time limitation, whether it should be 1 or 2 years. As a matter of policy we do not have any comment to make on that point, but we should like to say this: That we assume that that 1-year language probably was obtained from the Administrative Expenses Act relating to employees who are transferred or recruited for overseas employment.

Now, that law originally said that they must sign an agreement to stay for 1 year. That language was subsequently amended in a later section making them sign the agreement for a period administratively determined between 1 and 3 years, leaving it to the discretion of the employing agency whether it should be more than 1 year or up to 3 years. And in many cases the 2-year period has been the one selected. It is the one we normally use in our Office.

Chairman DAWSON. You heard Mr. Irons' testimony as to why they decided on the 1 year; did you not?

Mr. CAMPBELL. Yes, sir.

Mr. IRONS. Since we are still here, I would like to comment on Congressman Brown's point about the fact that you passed a bill last year. It was reported out of this committee July 17, 1956, and went to the House. When you adjourned in 1956 I do not know, but it was shortly after that. I believe that the Senate did not have much time to give it consideration.

Mr. BROWN. We never get adjourned until around close to Labor Day. We seldom get away before Labor Day.

Mr. IRONS. There was no indication in the Senate they did not think your judgment last year was good.

Chairman DAWSON. Thank you very, very much.

That brings us up to S. 1903.

(The bill referred to follows:)

[S. 1903, 85th Cong., 1st sess.]

AN ACT To amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Administrative Expenses Act of 1946, as amended (5 U. S. C. 73b-3), is amended by inserting after the third proviso the following new proviso: "*Provided further*, Any officer or employee of the United States appointed by the President, by and with the advice and consent of the Senate, to serve for a term fixed by law, whose post of duty is outside the continental United States, shall be allowed expenses of transportation for himself and his immediate family, but excluding household effects, from his post of duty outside the continental United States to the place of his actual residence at the time of his appointment to such overseas post of duty, at the end of each two years of satisfactory service completed overseas, if he is returning to his actual place of residence for the purpose of taking leave prior to serving at least two more years of overseas duty or serving the unexpired portion of his term."

Passed the Senate August 9 (legislative day July 8), 1957.

Attest:

FELTON M. JOHNSTON, *Secretary.*

Mr. HENDERSON. May I make a statement?

Chairman DAWSON. Yes.

Mr. HENDERSON. Mr. Chairman, S. 1903, as we indicated in a memorandum which went to all of the subcommittee members, is a bill that has passed the Senate. It was reported out of the Senate Post Office and Civil Service Committee, and it apparently was introduced in the Senate as a result of a plea on the part of a United States marshal in Panama who felt that he was denied travel expenses unfairly and that legislation should be passed to assist him and other persons similarly situated.

Now, we suggested that the Bureau of the Budget may wish to testify on this, but they said their views were pretty well stated in the report that they submitted and asked to be excused.

We asked the Department of Justice to testify on this, and the Department of Justice declined to testify, although they submitted a report stating that they had no objection to the legislation.

Mr. BROWN. Well, I have one question in my mind that is very definite. I would like to know what the last line after the word "duty" on line 9, page 2, "* * * or serving the unexpired portion of his term." means. One place you say it has to be 2 years, or that it is at the end of 2 years, for the purpose of taking leave prior to serving another 2 years overseas. But, now, this "serving the unexpired portion of his term" indicates he might get paid twice in the same term.

I do not see where that strengthens the bill at all. I think it complicates it and makes its meaning doubtful as I read it.

I feel the legal authorities here on the staff ought to give that some consideration.

Mr. HENDERSON. The GAO may have a comment on that last line of the bill, too.

I may say this, Mr. Brown, while they are reviewing that: As we understand it, the marshals are appointed for a period of 8 years. Now, I would assume that even though they would be entitled to leave every 2 years they may not necessarily wish to take it. I am sure most of them would.

Mr. MICHEL. Which marshals are appointed for 8 years?

Mr. HENDERSON. The United States marshal in Panama is appointed for 8 years.

Mr. BROWN. This is not restricted to the United States marshal in Panama. This bill applies to everybody in the Government.

Mr. HENDERSON. Yes. Well, according to the Bureau of the Budget, there are only 17 people who would be affected by this legislation. Those persons are in Panama and several other places.

Mr. BROWN. Is that because of limitation to serve for a term fixed by law?

Mr. HENDERSON. Yes. You see, this is limited not only to term fixed by law but appointment by the President and confirmation by the Senate.

Mr. BROWN. I understand that. The President appoints a great many people.

Mr. HENDERSON. That is right.

Mr. BROWN. Now, as I read this bill, any officer or employee of the United States appointed by the President by and with the advice and consent of the Senate to serve for a fixed term—and that is the only

saving clause you have—whose post of duty is outside the continental United States. That would include every military officer because the President sends up their promotions and commissions to be approved by the Senate.

Mr. HENDERSON. Yes; except that this is amendment to the Administrative Expenses Act, which applies only to civilians. The military would not come under that.

Mr. BROWN. The military would not come under it?

Mr. HENDERSON. No.

Mr. BROWN. That is a good explanation.

Mr. HENDERSON. Do you have a comment on that last line of the bill, Mr. Campbell?

Mr. CAMPBELL (reading):

* * * if he is returning to his actual place of residence for the purpose of taking leave prior to serving at least 2 more years of overseas duty or serving the unexpired portion of his term.

We did make a comment in our report to you and your committee concerning that. Conceivably, the unexpired portion of the man's term may be only a few months.

Mr. BROWN. That is right.

Mr. CAMPBELL. Or some other relatively short period. I doubt it would be in the interests of the Government to send him back to the United States if he was then going to serve overseas again for only 2 or 3 more months.

It seems like there should be some reasonable limitation. Maybe you should put in there 1 year, if the unexpired portion—

Mr. BROWN. You have it up here. Read line 8—"for the purpose of taking leave prior to serving at least 2 more years." That is your limitation.

Mr. CAMPBELL. Well, yes, if you want to stop it there.

Mr. BROWN. Yes; that would protect it.

Mr. CAMPBELL. Or you could say "or serving the unexpired portion of his term if such unexpired portion is"—whatever limit of time you want to put in there.

Mr. BROWN. The first provision makes it 2 years.

Mr. CAMPBELL. If you want to make it 2 years you need nothing more.

Mr. BROWN. Then you would not need "serving the unexpired portion of his term."

Mr. CAMPBELL. That is right, sir.

Mr. BROWN. I do not like that wording.

Mr. HENDERSON. Then, you would suggest we cut it off at "duty"?

Mr. BROWN. "Duty."

In other words, he gets to come home if he has 2 more years to go, and the Government takes care of his expenses. But suppose he decides he has only got a month to go so he will come home, make the trip and look around, and then he will go back and finish up.

Mr. CAMPBELL. Yes. There is one other point that we would like to discuss a minute.

Mr. HENDERSON. You had a number of other suggestions.

Mr. CAMPBELL. Yes. There is one we are particularly interested in. When this bill was presented to us by the Senate for our comments it provided, as I recall, for the round-trip travel expenses of the employee and his dependents from his overseas post back to his place

of residence in the United States. And we pointed out that if you authorize round-trip travel expenses for dependents as well as the appointee it would give the man something more than the ordinary employee receives under the third proviso of this section, because under the third proviso a man is entitled to travel expenses for himself but as far as his dependents are concerned he is entitled to transportation only.

Now, at this point I might say that the distinction which has been drawn between a law which authorizes reimbursement for expenses of travel and reimbursement for expenses of transportation has been this: Expenses of travel would allow not only the actual costs of transportation itself but it would allow per diem to a man and other incidental expenses related to the travel, whereas the expenses of transportation have been very strictly construed to apply only to the actual costs of transportation itself.

So we pointed out to the Senate committee that we thought the rights under this bill should be made uniform.

As a result of that, there was an amendment made to the bill, and the Senate struck out the language "expenses of round-trip travel for the appointee and his immediate family," and inserted, I believe, "expenses of transportation for employee and immediate family," or words to that effect.

In doing that they have inserted a provision which, while intended to make benefits uniform, would be to the prejudice of the Presidential appointee, because they have restricted him to expenses of transportation on his own account, whereas the ordinary employee gets expenses of travel for himself and expenses of transportation for his dependents.

So we think that if you want to make benefits of Presidential appointees uniform with those of other employees who are granted home-leave travel from overseas posts, the bill should be amended so that it would read: "shall be allowed expenses of round-trip travel for himself and transportation of his immediate family." That language would be consistent with the language in the existing law.

Mr. BROWN. Well, now, would that transportation include their per diem?

Mr. CAMPBELL. No.

Mr. BROWN. Oh. It would not, but the travel expense would?

Mr. CAMPBELL. Yes. For the family it would not.

Mr. BROWN. The words "travel expenses" would?

Mr. CAMPBELL. That is right.

Mr. BROWN. I think that makes sense.

Mr. MICHEL. Yes.

Mr. HENDERSON. May I ask you this: Do you feel there is an inequity that exists in the first place? You know this bill arose apparently from one man, the United States marshal in Panama, and, according to the Bureau, there are 17 employees of the Government who are similarly situated, who are not covered by what he claims is the usual benefit which is given to overseas employees.

Mr. CAMPBELL. Of course, policywise we have made no comment on this bill. Actually, you might say there may be some basis for an inequity. Other employees get it. And yet, on the other side of the

picture is the fact that when a man accepts an appointment to serve overseas he accepts it for the length of the term.

Mr. HENDERSON. That is the difference; is it not?

Mr. CAMPBELL. That could be the line of distinction.

Mr. HENDERSON. He accepts it for a fixed period of time.

Mr. CAMPBELL. And it is entirely a matter of policy as to whether your committee wants to go along with this. We have made no recommendation with respect to it.

Chairman DAWSON. Mr. Brown, what is your thinking on that?

Mr. BROWN. Well, I certainly agree with the two amendments that have been suggested. I want to be certain that this applies to only a very few people.

Mr. CAMPBELL. It would apply, sir, to any overseas employee who is appointed by the President by and with the advice and consent of the Senate.

Mr. BROWN. Well, there are a lot of them.

Mr. HENDERSON. For a fixed term.

Mr. CAMPBELL. For a fixed term, yes. Now, we note there may be 1 or 2 others who are appointed at the pleasure of the President who would not be included in the bill. I would see really no basis for including those appointed for a fixed term to the exclusion of those who are not appointed for a fixed term, but there again——

Chairman DAWSON. What would be an example?

Mr. CAMPBELL. As far as we know——

Mr. BROWN. An ambassador. An ambassador serves at the pleasure of the President.

Mr. CAMPBELL. Well, those people are excluded, you see, sir, from the Administrative Expenses Act. They are Foreign Service personnel.

Mr. BROWN. What about all these attachés to the Department of Commerce, the Department of Agriculture, the Department of Health, Education, and Welfare that we have scattered every place?

Mr. FRIEND. I was just going to say I do not think those employees you refer to are appointed by the President.

Mr. BROWN. Some of them are.

Mr. FRIEND. At least, we could only find 1 or 2 that would serve an indefinite term. I think possibly the Governor of the Virgin Islands does not have a fixed term, and there may be 1 or 2 others.

Mr. CAMPBELL. I think the only two we found were the Governor of the Virgin Islands and the Secretary of the Virgin Islands who do not serve a fixed term.

Mr. BROWN. What about this: The governor of a mandated island?

Mr. CAMPBELL. Attachés of the Department of Agriculture maybe could be appointed under the Foreign Service Act, although I am not sure. In any event I believe they would be entitled to home-leave benefits under the Foreign Service law rather than this law.

Mr. BROWN. You have a lot under Public Law 480. I thought that was a Department of Agriculture bill, but——

Chairman DAWSON. Now, as to the two amendments that you have agreed on, will you state what those amendments are?

Mr. HENDERSON. Well, the first one was the one proposed by Mr. Brown.

Chairman DAWSON. Cutting out the last sentence.

Mr. BROWN. After the word "duty."

Mr. HENDERSON. Yes. Now, we have not actually agreed on any others, but I think if Mr. Campbell will go down his proposals 1 by 1 maybe——

Mr. CAMPBELL. Well, yes. Well, in the first place, I think we have already discussed generally that this does not apply to appointees by the President who serve at his pleasure as distinguished from those serving at a fixed term.

Mr. HENDERSON. Now, Mr. Campbell, are they covered by any other legislation?

Mr. CAMPBELL. I do not think so.

Mr. HENDERSON. Would you feel it would be unfair to pass this bill without including them?

Mr. CAMPBELL. Well, I personally—I have no official position——

Mr. HENDERSON. I see.

Mr. CAMPBELL. Cannot see any distinction for granting this to one class and not to the other. I feel as you do. There probably are not too many of them today.

Mr. MICHEL. By striking out this last line, could a marshal, for instance, be appointed to an unexpired term that runs for $3\frac{1}{2}$ years?

Mr. BROWN. No; that would not be the unexpired portion of "his" term. He has a term there for each 2 or more years. Up there in the line ahead of that it says he is going to return for 2 or more years overseas.

Mr. MICHEL. I am not fully apprised of what the mechanics are with respect to United States marshals abroad, only those here in the continental United States and I am thinking this: Say at the end of this President's term, the close of 1960, he certainly does not have the prerogative to name a marshal for 8 years hence; does he?

Mr. HENDERSON. I am sorry; I do not know.

Mr. MICHEL. And if there is an expiration date, then conceivably the terms would be fixed.

Mr. BROWN. No; I do not think the terms are fixed by law except as to the length of the term, but I am not sure about it. Of course, that is the trouble with considering legislation of this type, Mr. Chairman. We are not certain how many people would be included or covered, or who would be left out.

Mr. MICHEL. But the nub of my question is this: If there were a situation where $3\frac{3}{4}$ years or $3\frac{1}{2}$ years were left, at the expiration of 2 years he would want to come home but he could not because he only has a year and a half left of his term. So he is stuck for $3\frac{1}{2}$ years, maybe; just the thing we are trying to obviate by getting the fellow home every 2 years.

Mr. CAMPBELL. Yes; I think that is a factor to be considered. I think if that were stricken, he would have to wait $3\frac{1}{2}$ years. For that reason we suggested——

Mr. BROWN. Well, I would rather let him wait $3\frac{1}{2}$ years, Mister, than I would let him come home 30, 60, 80 or 90 days before his term expires and then get another trip at the expense of the taxpayers. I am for the amendment.

Chairman DAWSON. Are there any further questions?

Mr. HENDERSON. We could, Mr. Chairman, delay this until we had the Department of Justice here.

Mr. MICHEL. From my own standpoint I would like to see it clarified a bit as to exactly what some of these mechanics are.

Mr. BROWN. I move we have the staff get a little more definite information on this bill.

Chairman DAWSON. All right.

Mr. HENDERSON. You see, this bill did not originate in the Government. It did not originate with any Senator. It was just a proposal that was made by an individual who felt he was being unfairly treated.

Mr. BROWN. Some Senator introduced it.

Mr. HENDERSON. Yes. I meant it was not his idea in the first place.

Mr. BROWN. I do not mean to table it but I will move that we just continue consideration of the measure with the instruction to the staff to get more definite information. I do not think it is necessary to hold another hearing, if they can get the facts for us that we want.

Mr. HENDERSON. All right.

Mr. BROWN. And in the meantime get from these gentlemen the amendments they suggest, and have these amendments put in proper form for us to consider when we are again in session.

Chairman DAWSON. Thank you very much, gentlemen.

Mr. CAMPBELL. Yes, sir.

Mr. BROWN. We appreciate your calling some of these things to our attention.

Chairman DAWSON. The next witness is Mr. John A. McCart, American Federation of Government Employees.

STATEMENT OF JOHN A. McCART, LEGISLATIVE REPRESENTATIVE, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

Mr. McCART. Mr. Chairman, my name is John A. McCart. I am legislative representative of the American Federation of Government Employees.

Mr. Chairman, we appear to endorse H. R. 11133 as another device for recruiting qualified technical and scientific personnel in short categories into the Federal Government.

With respect to S. 1903, our prepared statement, which I assume will be inserted in the record, presents our position. We certainly would not want the committee to act without having the full facts. As a matter of principle, we would endorse the bill.

Mr. Chairman, that concludes my comments.

Chairman DAWSON. Thank you. Without objection, your prepared statement will be made part of the record.

(The prepared statement of Mr. McCart follows:)

STATEMENT OF JOHN A. McCART, LEGISLATIVE REPRESENTATIVE, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

The American Federation of Government Employees endorses the two bills which are being considered at this hearing—S. 1903, introduced by Senator Butler, which passed the Senate last August, and H. R. 11133, sponsored by Representative Dawson of the Government Operations Committee. Both bills would amend section 7 of the Administrative Expenses Act of 1946, as amended.

The bill, S. 1903, would remove an apparent discriminatory situation now written into existing law, and we concur in the effort to bring about this improvement. The bill would accomplish this objective by authorizing payment of travel expenses of any person serving the Federal Government under a Presidential appointment when that individual and members of his immediate family are

going from one post of duty outside the continental United States to their place of residence at the time of appointment. The travel contemplated is that taking place at the end of each 2 years of satisfactory duty overseas and immediately prior to serving at least 2 more years abroad.

Inasmuch as this bill in effect makes it possible for more officers and employees to enjoy the long-accepted practice of "home leave" its enactment is highly desirable. The bill would have this effect, because it would make the trip home practicable whereas at present it could be undertaken only at considerable expense. The underlying principle of such travel is one of advantage to the Government in that it permits the employee to renew close contact with his homeland.

The bill H. R. 11133 broadens the provisions of the Administrative Expenses Act as they apply to payment of travel expenses of persons who are selected for appointment to a position in the Federal service. Again it permits an extension of a type of authority already provided in law. Thus it would neither establish a precedent nor obligate the Government in a manner unlike any existing fiscal obligation. We favor passage of this bill.

The present law permits the Government to pay the travel expenses of a new appointee and his immediate family, together with the cost of transporting their household goods and personal effects, from their place of actual residence to the first post of duty outside continental United States, as well as payment of all similar costs on the return from foreign duty to place of actual residence at the time of such assignment. Persons to benefit from this bill would have their travel and transportation expenses paid under the same conditions governing the payment of such expenses of Federal employees transferred at the convenience of the Government.

It is patently a matter of fairness to the prospective employee, but of decided advantage to the Government to allow the payment of these travel and moving expenses. Otherwise it would be difficult, and in many instances impossible, for the Government to obtain personnel for foreign duty.

The proposed amendment to the Administrative Expenses Act merely applies the same principle to recruitment for service within the continental United States, and in Alaska, which does not qualify as foreign service. The approach is the same, and the problem is essentially similar to that now dealt with in existing law. H. R. 11133 is intended to aid the Federal Government to obtain qualified persons for positions for which there is a manpower shortage. This is true especially of scientists and engineers, as well as other persons having technical training.

The bill also, in the case of recruitment of positions for which there is a dearth of qualified candidates, would authorize an agency to pay the travel expenses of persons who are invited to visit a place of prospective employment. This is in line with accepted industrial practice, and in the light of business experience would influence some persons to choose the Government service if they had the opportunity to visit the station where they would be employed and inspect the equipment they would use.

Legislation with this purpose is obviously of advantage to the Federal Government at this time. It has direct benefits for the entire defense program and for any other program which otherwise would suffer by reason of lack of available personnel. For many months there have been serious shortages in many occupations in research and development activities of the Government as well as in other areas of governmental operation. This bill should go a long way toward the solution of this serious recruitment problem.

It is a well known fact that during the last several years the Federal civil service has been in direct competition for personnel with large industrial enterprises, and to a considerable extent it has been a losing effort. The large firms offer many inducements and, while the Government may not be expected to meet fully and directly any and all of the advantages offered by private employers, they cannot in every instance be dismissed as being outside the scope of competition. The Government must meet many of the elements of competition with private employers if it is to obtain the skilled personnel it needs.

The need for this bill is well recognized. When hearings were held in the Senate last year the Civil Service Commission representative emphasized the need for this legislation. It was then pointed out that in many instances the Government just cannot obtain some of the persons whose services are especially desired because the prospective employee cannot afford to accept the position which not only pays less in salary but is costly because it would require him to absorb the cost of moving his household furnishings.

Private industry in so many instances pays for moving from one part of the country to another. This was borne out by analyses that were made of the

polices of Government contractors. When large firms solicit the services of skilled personnel, they offer the payment of moving cost as one of the inducements.

Even in the case of a private business firm paying the full cost of transportation and moving furniture, the employee often finds that a transfer to another locality is still a costly move. Within the last several years it has become business practice to relieve the employee of much of the burden of having to sell his home and relocate in another community. A survey by the National Industrial Conference Board reveals that some firms take over the employee's house at market appraisal. Others reimburse him for his loss, paying all carrying charges between the time of moving and sale of his house. This practice is noted only to illustrate the extent to which many private firms will go to obtain and retain the services of the personnel on whom it has placed a high value. It also indicates the type of competition with which the Federal Government is confronted.

It would seem, therefore, that both of the bills under consideration are essential to good governmental operation. We are grateful to the chairman and members of this committee for giving us the opportunity to comment on these proposals.

Chairman DAWSON. Without objection, a letter submitted by the National Federation of Federal Employees under date of April 21, 1958; also a statement from Thomas G. Walters, operations director, Government Employees' Council, April 23, 1958, and a statement from Congressman Burdick of North Dakota will be made part of the record.

(The letter and statement referred to follows:)

NATIONAL FEDERATION OF FEDERAL EMPLOYEES,
Washington, D. C., April 21, 1958.

HON. WILLIAM L. DAWSON,
Chairman, Executive and Legislative Reorganization Subcommittee of the
House Committee on Government Operations,
Washington, D. C.

DEAR CHAIRMAN DAWSON: Thank you for your letter of April 18, advising me that your subcommittee will hold hearings on S. 1903 and H. R. 11133 on Wednesday, April 23, 1958.

The National Federation of Federal Employees wishes to go on record as being strongly in favor of the provisions of your bill, H. R. 11133.

This bill, if enacted, will place the United States Government in a competitive position with industry in its efforts to recruit qualified individuals in those employment categories of the higher skills for which there exists a shortage today.

The provisions of the bill are carefully drawn and will not lead to abuses, yet will permit the Federal Government to offer employment opportunities to qualified persons—now considered to be a routine management practice in industry.

We urge prompt and favorable consideration of H. R. 11133.

We should likewise urge committee approval of S. 1903, approved by the Senate on August 9, 1957. We see no reason why so-called Presidential appointees, such as United States marshals, should not be treated on the same fair and equitable basis as are other employees recruited for service outside the continental limits of the United States.

Sincerely,

VAUX OWEN, *President.*

STATEMENT OF THOMAS G. WALTERS, OPERATIONS DIRECTOR, GOVERNMENT EMPLOYEES' COUNCIL

Mr. Chairman and members of this committee, by way of introduction, my name is Thomas G. Walters, operations director of the Government Employees' Council, AFL-CIO, 100 Indiana Avenue, NW., Washington, D. C., phone EX 3-2820 and EX 3-2821.

The Government Employees' Council of the AFL-CIO is made up of 23 national and international unions whose membership, in whole or in part, are civil-service employees. The total Federal and postal employee membership of the Government Employees' Council is more than 600,000.

The Government Employees' Council endorses the statement as presented by the American Federation of Government Employees to the House Committee on Government Operations on legislation providing payment of transportation ex-

penses to certain employees in the continental United States, Alaska, and other foreign services.

We believe that this legislation is just, fair, and reasonable and the intent, as outlined in S. 1903 and H. R. 11133, should be enacted into law. This type of legislation would make it possible for officers and employees to enjoy the long accepted practice of home leave and we believe this is to the best interest, not only to the officers and employees but to our Government as well. The need for some legislation along this line is well recognized. It was pointed out before the Senate committee that in many incidents employees refused to take the special assignments because of the home-leave question and because of the expense of moving from one location to another.

We, therefore, give our endorsement and support to the principle and intent of S. 1903 and H. R. 11133.

We appreciate the opportunity and privilege of appearing and presenting this statement on behalf of the officers and employees affected by this legislation.

STATEMENT OF HON. USHER L. BURDICK, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NORTH DAKOTA

Mr. Chairman, the purpose of S. 1903 is simple. It provides that any officer or employee of the United States appointed by the President by and with the advice and consent of the Senate to serve for a term fixed by law, whose post of duty is outside the continental United States, shall be allowed expenses of transportation for himself and his immediate family at the end of each 2 years of satisfactory service. I am personally acquainted with the case of a United States marshal who has been assigned to duty in the Canal Zone. It seems fair and logical that when he gets a leave of absence once every 2 years the Government could help him out on his travel expenses to this extent. I do not believe a great number of individuals would be involved under the provisions of this bill, and I urgently recommend that S. 1903 be approved.

Chairman DAWSON. The subcommittee will continue in executive session.

(Whereupon, at 11:40 a. m., the subcommittee continued in executive session.)

×

LEGISLATIVE HISTORY

Public Law 85-749
H..R. 11133

TABLE OF CONTENTS

Index and summary of H. R. 11133.....	1
Digest of public law 85-749.....	2

INDEX AND SUMMARY OF H. R. 11133

- March 4, 1958 Rep. Dawson introduced H. R. 11133 which was referred to House Government Operations Committee. Print of bill.
- April 23, 1958 House subcommittee ordered H. R. 11133 reported with amendment.
- May 21, 1958 House committee ordered H. R. 11133 reported.
- May 22, 1958 House committee reported H. R. 11133 without amendment. Print of bill and House Report No. 1764.
- June 26, 1958 House passed H. R. 11133 without amendment.
- June 27, 1958 H. R. 11133 was referred to Senate Government Operations Committee. Print of bill as referred.
- Aug. 4, 1958 Senate committee reported H. R. 11133 with amendments. Print of bill and Senate Report No. 2185.
- Aug. 11, 1958 Senate passed H. R. 11133 as reported.
- Aug. 14, 1958 House concurred in Senate amendments.
- Aug. 25, 1958 Approved: Public Law 85-749.

House hearings were held on April 23, 1958.

DIGEST OF PUBLIC LAW 85-749

TRAVEL COSTS FOR APPOINTEES TO CRITICAL POSITIONS. Amends the Administrative Expenses Act of 1946 so as to authorize the departments to pay travel and transportation expenses of persons appointed, or selected for appointment, to positions in the natural and mathematical sciences, engineering, and architectural fields, and to related technical positions in the continental U. S. and Alaska for which there is determined by the Civil Service Commission to be a manpower shortage in those skills which are critical to the national security effort. Provides that such appointee must remain in the Federal service for 12 months, with certain exceptions, or refund the costs of the travel and transportation expenses.

85TH CONGRESS
2D SESSION

H. R. 11133

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1958

Mr. DAWSON of Illinois (by request) introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 7 of the Administrative Expenses Act of 1946
4 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further
5 amended by inserting “(a)” after the section number and
6 by adding at the end thereof new subsections as follows:

7 “(b) Appropriations for the departments shall be avail-
8 able in accordance with regulations prescribed by the Presi-

1 dent, for expenses of travel of persons selected for appoint-
2 ment to positions in the continental United States and
3 Alaska for which there is determined by the Civil Service
4 Commission to be a manpower shortage and for expenses
5 of transportation of their immediate families and their house-
6 hold goods and personal effects and for advances of funds
7 to the extent authorized by section 1 (a) and (b) of this
8 Act, from their places of actual residence at time of selection
9 to their first duty station. Such travel expenses may in-
10 clude per diem and mileage allowance for persons selected
11 for appointment as provided for civilian officers and em-
12 ployees by the Travel Expense Act of 1949, as amended.
13 Travel and transportation expenses may be allowed whether
14 the person selected for appointment has been appointed
15 or not at the time of such travel. However, the travel
16 and transportation expenses authorized by this subsection
17 shall not be allowed unless the persons selected for ap-
18 pointment shall agree in writing to remain in the Govern-
19 ment service for twelve months following his appointment
20 unless separated for reasons beyond his control and accept-
21 able to the department or agency concerned. In case of
22 violation of such agreement, any moneys expended by the
23 United States on account of such travel and transportation
24 shall be recoverable from the individual concerned as a debt
25 due the United States.

1 “(c) Appropriations for the departments shall be avail-
2 able in accordance with regulations prescribed by the Presi-
3 dent for expenses of travel while away from their homes or
4 regular places of business of persons who are found qualified
5 to perform in positions for which there is determined by the
6 Civil Service Commision to be a manpower shortage and
7 who are invited by an agency or department to visit it for
8 purposes connected with employment. Such travel expenses
9 may include per diem in lieu of subsistence and mileage
10 allowance as provided for civilian officers and employees by
11 the Travel Expense Act of 1949, as amended.

12 “(d) The authority of the Civil Service Commission
13 to determine for purposes of this Act positions for which
14 there is a manpower shortage shall not be delegated. The
15 provisions of subsections (b) and (c) of section 7 of this
16 Act shall expire five years from the date of their enactment
17 into law.”

A BILL

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

By Mr. Dawson of Illinois

MARCH 4, 1958

Referred to the Committee on Government Operations

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued April 24, 1958
For actions of April 23, 1958
85th-2d, No. 62

CONTENTS

Acreage allotments.....	4,13	
Conservation.....	28	
Contracts.....	39	
Cooperatives.....	40	
Cotton.....	36	
Depressed areas.....	14,34	
Economic situation.....	16	
Electrification.....	22	
Farm income.....	5	
Farm program.....	10,24	
Feed grains.....	36	
Flood control.....	15	
Food production.....	12	
Foreign aid.....	11	
Foreign trade.....	27	
Forestry.....	23	
Grain standards.....	1	
Information.....	25	
Lands.....	23	
Livestock diseases.....	1,37	
Milk marketing.....	26	
Natural resources.....	30	
Personnel.....	2,6	
Postal rates.....	6	
Price supports.....	13	
Property.....	33	
Reclamation.....	7	
Research.....	18,21	
Roads.....	32	
Saline water.....	21	
School aid.....	3	
Small business.....	8,38	
Surplus commodities.....	9,11,20,29	
Textiles.....	19	
Transportation.....	17,31	
Travel costs.....	2	
Wheat.....	35	
Wildlife.....	28	

HIGHLIGHTS; Sen. Talmadge and others criticized farm program and urged compensatory payments program. House subcommittee ordered reported bill to provide reimbursement for appeal inspections under Grain Standards Act. Sen. Douglas and others introduced and discussed distressed areas bill.

HOUSE *April, 23, 1958*

1. GRAIN STANDARDS; LIVESTOCK DISEASES. A subcommittee of the Agriculture Committee ordered reported S. 2007, with amendment, to amend the Grain Standards Act to permit the collection of charges to reimburse the Department for overtime, travel, and certain other costs in connection with handling appeal inspections, and H. R. 12126, to "provide further protection against the introduction and dissemination of livestock diseases." The latter bill was introduced earlier in the day. p. D339
2. PERSONNEL. A subcommittee of the Government Operations Committee ordered reported with amendment H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. p. D340
3. SCHOOL AID. Passed with amendments H. R. 11378, to make permanent the programs providing financial assistance in the construction and operation of schools in areas affected by Federal activities, insofar as such programs relate to

children of persons who reside and work on Federal property, and to extend such programs until June 30, 1961, insofar as such programs relate to other children. pp. 6320-57

4. ACREAGE ALLOTMENTS. Rep. Hemphill spoke in favor of legislation to permit farmers "to sell to any other farmer, on such terms as the parties agreed upon, his acreage allotment and marketing quota,; and explained the purpose of a bill, H. R. 12074, he had introduced to permit such sales of allotments. p. 6319
5. FARM INCOME. Rep. Hill inserted the April 22 release of the Department discussing the current farm income situation. pp. 6319-20
6. POSTAL RATES; PERSONNEL. The "Daily Digest" states that the conferees on H. R. 5836, the postal rates and pay bill, announced the following actions: "(1) agreed upon a 7½ percent increase for postal workers in all grades except 20, and a temporary cost-of-living increase of 2½ percent for grades 1 through 6, and 1½ percent for grade 7 -- for a total cost of \$257 million, and (2) agreed upon a 4-cent first-class stamp. Conferees will continue consideration of this bill tomorrow." p. D341
7. RECLAMATION. Passed as reported S. 1031, to authorize the Interior Department to construct, operate, and maintain four irrigation units of the Greater Wenatchee division, Chief Joseph project, Wash. pp. 6357-59
8. SMALL BUSINESS. Rep. Evins spoke in favor of additional aid for small businesses. p. 6359
9. SURPLUS COMMODITIES. Received a Mass. Legislature memorial urging that surplus farm products be made available to correctional institutions. p. 6385

SENATE

10. FARM PROGRAM. Sen. Talmadge criticized the present farm program as a "failure" and urged that a compensatory payments system similar to that for wool be adopted for all basic commodities. Sens. Proxmire, Stennis, Johnston, Clark, and Yarborough commended the objectives of the proposal and discussed certain aspects of it. pp. 6248-51
Sen. Yarborough commended the "diligence and ability" of Sen. Proxmire and congratulated him on his appointment to the Agriculture and Forestry Committee. p. 6251
11. SURPLUS COMMODITIES; FOREIGN AID. Sen. Humphrey urged the use of food abundance as a weapon in foreign affairs, inserted an editorial, "Our Farm Surplus Could Be An Asset In The Cold War," and urged early action on extension of Public Law 480. p. 6258
12. ISRAEL. Sen. Neuberger inserted Secretary Benson's speech to the America-Israel Society, on the growth of Israel and the gains in food productivity there. pp. 6233-4
13. PRICE SUPPORT FREEZE. Sen. Humphrey inserted an editorial, "Thoughts on Farmer Thaw Versus Freeze," analyzing the President's veto message on the farm price support and acreage allotment freeze measure. pp. 6258-9

House - May 21, 1958

4. POSTAL RATES. Received the conference report on H. R. 5836, the postal rate and pay increase bill (H. Rept. 1760). (pp. 8274-93, 8307) Rep. McCormack announced that the conference report will be considered today, May 22. (p. 8293)
5. TRADE AGREEMENTS. The Ways and Means Committee reported without amendment H. R. 12591, to extend the authority of the President to enter into trade agreements (H. Rept. 1761). p. 8307
6. BUILDING SPACE. The Government Operations Committee ordered reported with amendment S. 2533, to authorize GSA to lease space for Federal agencies. p. D447
7. PERSONNEL. The Government Operations Committee ordered reported H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. p. D447
8. LANDS. The Interior and Insular Affairs Committee ordered reported H. R. 6074 and H. R. 6075, to provide for the acquisition of lands for the U. S. required for the reservoirs created by the construction of the Randall and Oahe Dams on the Missouri River. p. D448
9. MUTUAL SECURITY. Received from the Manager, Development Loan Fund, letters relative to the establishment of loans in various amounts, pursuant to title II of the Mutual Security Act of 1954, for several foreign countries. p. 8306

SENATE

10. REA. Sen. Humphrey criticized the Secretary's actions under Reorganization Plan No. 2 of 1953 and asserted that they made the REA Administrator a figure-head. He announced that his Reorganization Subcommittee would hold hearings on this matter. He criticized Administration proposals on REA financing and inserted various resolutions from rural electric ass'ns opposing any increase in REA interest rates and articles from Rural Electrification magazine opposing such increases. pp. 8219-25
11. FARM PRICES. Sen. Johnston stated that cotton farmers were in difficulties and that the Administration had not "followed through" on recommendations of the Commission on Increased Industrial Uses, and urged the Senate to vote to re-pass the freeze measure over the President's veto. pp. 8233-4
12. SEEDS. Passed without amendment S. 1939, to make various amendments to the Federal Seed Act. pp. 8211-12
13. WEED CONTROL. Passed without amendment S. 3861, to provide for the control of noxious weeds on Federal lands. p. 8211
14. LIVESTOCK DISEASES. Passed without amendment S. 3076, to authorize the transportation in the U. S. of live foot-and-mouth disease virus for research purposes. p. 8211
Passed without amendment S. 3478, to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus. pp. 8210-11
15. RICE. Passed as reported H. R. 8490, to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the lands on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. pp. 8234-5

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 22, 1958
For actions of May 21, 1958
85th-2d, No. 80

CONTENTS

Acreage allotments.....	48		
Appropriations.....	1,42		
Arbor Day.....	29		
Area development.....	32		
ASC committees.....	19		
Building space.....	6		
Compacts.....	51		
Conservation.....	42		
Cotton.....	16,19,48		
Electrification.....	35		
Export control.....	28		
Farm drainage.....	40		
Farm prices.....	11		
Farm program.....	19,39,49		
Flood control.....	12,23		
Food reserve.....	45		
Foreign aid.....	9,26,34,52		
Foreign trade.....	27		
Forestry.....	1,47		
Health insurance.....	50		
Imports.....	20		
Industrial uses.....	11		
Information.....	21		
Inspection services.....	44		
Lands.....	8		
Livestock diseases.....	14		
Marketing.....	41,49		
Meat promotion.....	36		
Onion futures.....	19		
Personnel.....	7,50		
Pay increases.....	4,24		
Postal rates.....	4,24		
Price supports.....	19		
Prices.....	11,31		
REA.....	10		
Reclamation.....	22		
Research.....	17,30,47		
Rice.....	15		
Saline water.....	18		
Seeds.....	12		
Small business.....	53		
Soil conservation.....	40		
Statehood.....	3,25,37		
Tobacco.....	38		
Trade agreements.....	5,46,54		
Travel costs.....	7,43		
Turkeys.....	41		
Watersheds.....	19		
Weed control.....	13		
Wildlife.....	17,19,40		
Wool.....	2		

HIGHLIGHTS: See page 6.

HOUSE

1. APPROPRIATIONS. Received the conference report on H. R. 10746, the Interior appropriation bill for 1959, which includes Forest Service items (H. Rept. 1757). (pp. 8253-54, 8306) See table at the end of this Digest for information regarding Forest Service items, and excerpts from the conference report.
2. WOOL. The "Daily Digest" states as follows: "Committee on Agriculture: Subcommittee on Livestock and Feed Grains favorably reported to the full committee a committee print to extend the National Wool Act for 3 years, the provisions thereof to be included in an omnibus farm bill." p. D447
3. STATEHOOD. Agreed, 217 to 172, to a motion by Rep. Aspinall to begin consideration of H. R. 7999, the Alaska statehood bill, after the Speaker overruled a point of order by Rep. Cannon that the bill was not a privileged matter and the motion was out of order. pp. 8254-73

May 22, 1958

13. PERSONNEL. The Government Operations Committee reported without amendment H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage (H. Rept. 1764). p. 8405
14. SURPLUS PROPERTY. The Government Operations Committee reported with amendment S. 2224, to amend the procedures on advertised and negotiated disposals of surplus property (H. Rept. 1763). p. 8405
15. POSTAL RATES. Agreed, 381 to 0, to the conference report on H. R. 5836, the postal rate and pay increase bill. This bill will now be sent to the President. pp. 8360-66, 8405
16. STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. Agreed to close debate on the bill at not later than 5 o'clock Mon., May 26. pp. 8366-95
17. FARM PRICES. Rep. Marshall discussed farm prices and income, and stated "there appears to be an intensified campaign in the slick news magazines to convince consumers that farmers are benefiting from the record high cost of living." pp. 8398-99
18. PUBLIC LAW 480. Rep. Dingell urged the use of foreign currencies derived from the sale of surplus agricultural commodities for the purchase, translation, and cataloging foreign scholarly works, and inserting several letters he had received favoring his proposal. pp. 8400-02
19. TEXTILE IMPORTS. Rep. Rogers criticized the continued importation of cotton velveteen from Japan. p. 8403
20. METAL STABILIZATION PAYMENTS. Both Houses received from Interior a draft bill "to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines by providing for stabilization payments to producers of ores or concentrates of these commodities"; to Interior and Insular Affairs Committees. pp. 8405, 8310
21. FOREIGN AFFAIRS. Received from the Foreign Affairs Committee a report of the Special Study Mission to Canada (H. Rept. 1766). p. 8405

ITEMS IN APPENDIX

22. COTTON. Sen. Johnson inserted an editorial stating that J. H. West, president of the Texas Farm Bureau, has been selected as 1 of 3 men to represent the U. S. at an international cotton meeting in London next month. p. A4722
23. ELECTRIFICATION. Sen. Proxmire inserted an editorial honoring TVA on the anniversary of its 25th year of service. pp. A4724-5
Extension of remarks of Sen. Proxmire expressing concern over proposed legislation "to change the REA's basic program" which farm leaders regard as a threat to its continued success and inserting an editorial, "Anti-REA Drive Hots Up." pp. A4728-9
Extension of remarks of Rep. Roberts inserting articles describing the development of the Coosa-Alabama river system. pp. A4743, A4749-50
Sen. Yarborough inserted an editorial on the value of McGee Bend dam to the people of Texas. p. A4750

24. FOREIGN TRADE. Rep. Madden inserted an editorial urging enactment of the bill to extend the Reciprocal Trade Agreements Act exactly as reported. p. A4727
Rep. May inserted an editorial urging passage of the Reciprocal Trade Agreements Act extension. p. A4735

Rep. Harrison, Va., inserted an editorial urging Congress not to go too far in protecting U. S. industries hit by foreign competition because of the danger of upsetting our foreign trade balance. p. A4742

Rep. Dorn inserted an editorial supporting Sen. Russell's views on restrictions of imports. p. A4753

25. FEDERAL-STATE RELATIONS. Extension of remarks of Rep. May commending the studies of the Fountain Subcommittee on Intergovernmental Relations and inserting an editorial, "The States Could Regain Some Financial Powers." p. A4730

Extension of remarks of Rep. Cramer criticizing actions of the Governors' Conference in regard to assuming certain Federal programs and attempts to request Federal action against the recession. He inserted a list of the Administration's steps taken against the recession and a tabulation of State action on the National Interstate Highway system. pp. A4762-4

26. FOREIGN AID. Extension of remarks of Rep. Judd supporting the foreign aid program. pp. A4743-6

BILLS INTRODUCED

27. LANDS. S. 3881, by Sen. Anderson, to amend the Atomic Energy Act of 1954, as amended, to provide for the release of source material reservations contained in conveyances of public and acquired lands; to Atomic Energy Joint Committee.
H. R. 12649, by Rep. Burns, Hawaii, to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws in regard to sales, leasing, and exchange of public lands; to Interior and Insular Affairs Committee.

28. MARKETING. S. 3883, by Sen. Humphrey, to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to Agriculture and Forestry Committee.

29. PERSONNEL. S. 3888, by Sen. Clark, to provide for an effective system of personnel administration for the executive branch of the Government; to Post Office and Civil Service Committee.

H. R. 12652, by Rep. Reuss, to amend the Civil Service Retirement Act to authorize the disclosure of certain retirement information; to Post Office and Civil Service Committee.

30. FOREIGN AID. H. R. 12629, by Rep. Dingell, to amend title IV of the Mutual Security Act of 1954 to provide for certain overseas programs relating to scientific and other significant works; to Foreign Affairs Committee. Remarks of author. pp. 8400-2

31. HOLIDAY. H. R. 12634, by Rep. May, declaring October 12 to be a legal holiday; to Judiciary Committee. Remarks of author. p. A4741

32. HOUSING. H. R. 12637, by Rep. O'Hara, Ill., to provide for direct Federal loans to meet the housing needs of moderate-income families, to provide liberalized credit to reduce the cost of housing for such families; to Banking and Currency Committee.

AMENDING SECTION 7 OF THE ADMINISTRATIVE EXPENSES ACT
OF 1946, AS AMENDED, TO PROVIDE FOR THE PAYMENT OF
TRAVEL AND TRANSPORTATION COST FOR PERSONS SELECTED
FOR APPOINTMENT TO CERTAIN POSITIONS IN THE CONTINEN-
TAL UNITED STATES AND ALASKA

MAY 22, 1958.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. DAWSON of Illinois, from the Committee on Government Opera-
tions, submitted the following

R E P O R T

[To accompany H. R. 11133]

The Committee on Government Operations, to whom was referred the bill (H. R. 11133) to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes, having considered the same, report favorably thereon and recommend that the bill do pass.

GENERAL STATEMENT

This bill is designed to improve the ability of the Federal Government to attract able scientists and engineers and other personnel in short supply whose skills are essential to the national security effort and to the proper functioning of the executive departments. This legislation would place Government laboratories seeking scientists and engineers on a more equal footing with private industry, which for some time has been paying travel and moving expenses for its new employees and travel expenses for applicants to visit plants as an aid in recruitment. It will also assist Federal departments in securing needed personnel in other shortage occupations.

In brief, two changes are made in existing legislation by this measure: (1) Travel expenses of persons selected for appointment and transportation of their immediate families and household effects may be paid from their residences to their first duty stations in the United States or Alaska. These payments would be limited to positions in

which there was a manpower shortage determined by the United States Civil Service Commission. (2) Travel expenses may be paid to prospective employees who are invited to visit an agency or department for interviewing or other purposes connected with employment.

H. R. 11133 was introduced by Chairman Dawson of the Committee on Government Operations by request of the United States Civil Service Commission. It is identical with a bill reported by the committee and which passed the House of Representatives in the 84th Congress, but which was not acted upon by the Senate. Amendments to the earlier bill made by this committee are carried in the present legislation.

Hearings were held on the current bill by the Subcommittee on Executive and Legislative Reorganization at which time representatives of the Civil Service Commission were closely questioned on the effects and the cost of the legislation. Printed copies of the hearings are available. It was estimated that the bill would cost an additional \$4.5 million per year. The legislation will expire 5 years from the date of its enactment.

The committee believes the passage of this bill is a necessary step to enable the Federal Government to meet its needs for workers, most of whom will be in professional and technical classifications. The shortage of engineers and scientists, in particular, is common knowledge and has been a matter of growing concern. The Government must compete with the inducements of private industry or its vast scientific and technical programs cannot be accomplished. A detailed justification for the bill, prepared by the United States Civil Service Commission, is included in this report.

SECTION ANALYSIS

Section 1 of the draft bill amends section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended). Section 7 of the Administrative Expenses Act now provides for the payment of travel and moving expenses of new appointees, their immediate families, and their household goods from their actual places of residence to duty stations outside the continental United States. Section 1 of the draft bill adds a subsection (b) to section 7 authorizing the payment of travel and moving expenses of new appointees to positions in the United States and Alaska for which there is determined by the Civil Service Commission to be a manpower shortage. The same conditions governing the payment of travel and transportation expenses to Federal employees who are transferred at the convenience of the Government, as set out in section 1 (a) and (b) of the Administrative Expenses Act of 1946, as amended, would be applicable to persons receiving travel and moving expenses under this legislation. Also, the same per diem and mileage allowances now provided to Federal employees by the Travel Expense Act of 1949, as amended, may be allowed to persons traveling to first duty stations. Travel and transportation expenses could be provided for persons before they were actually appointed but no expenditures under this section could be made unless the person selected for appointment agreed in writing to remain in the Government service for 12 months following his appointment unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of this

agreement, any moneys expended by the United States for travel and transportation expenses would be recoverable from the individual concerned as a debt due the United States. Regulations for administration of this subsection would be prescribed by the President.

Section 1 of the draft bill further amends section 7 of the Administrative Expenses Act by adding subsection (c) which authorizes the payment of travel expenses of persons in shortage occupations who are invited to visit agencies or installations for purposes connected with employment. Payments of travel expenses would be discretionary with the employing agency but could be made only after it was first determined that the person invited to visit the agency was qualified to perform in a position for which there had been determined by the Civil Service Commission to be a manpower shortage and when it was believed that providing such travel would be instrumental in getting the person to accept employment at the agency or installation. Travel expenses under this section would be provided in accordance with the travel regulations currently applicable to Federal employees.

Section 1 also amends section 7 of the Administrative Expenses Act by adding subsection (d) which provides that the authority of the Civil Service Commission to determine the positions for which manpower shortages exist may not be delegated. This subsection provides further that this legislation shall expire 5 years from the date it is enacted into law. The language of this subsection is identical to an amendment made by the House Committee on Government Operations of the 84th Congress to a previous bill (H. R. 11515) on this subject which was subsequently passed by the House of Representatives of that Congress.

FURTHER EXPLANATION

Section 1 (a) of the Administrative Expenses Act of 1946, as amended (5 U. S. C. 73b-1), constitutes the basic authority for payment of expenses of travel and transportation incident to the change of official stations of civilian employees generally. It is authority for the payment of the expenses of travel of the employee himself, the expenses of transportation of his immediate family, and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects within the weight limitations specified therein. Section 1 (a) also authorizes advances of funds to employees to assist them in defraying such expenses. Subsection (b) of section 1 provides that, in the case of transfers within the United States, reimbursement for transportation of household effects shall be upon a commuted basis under regulations to be prescribed by the President in lieu of reimbursement of actual expenses of such transportation.

The new subsection (b), which the bill (H. R. 11133) would add to section 7 of the act, as amended (5 U. S. C. 73b-3), would authorize the payment of travel and transportation expenses to the first duty station of employees subject to its provisions on a basis comparable to that prescribed in section 1 (a) and (b) of the act. The purpose of the language "to the extent authorized by section 1 (a) and (b) of this Act," appearing in the proposed new subsection 7 (b) [see p. 2, lines 7 and 8 of the bill], is to insure that the travel and transportation

benefits authorized under such subsection would be payable in the same manner, under the same conditions, and to the same extent as the travel and transportation authorized in section 1 of the act.

STATEMENT OF PURPOSE AND JUSTIFICATION

PURPOSE

To increase the ability of the Federal Government as an employer to attract persons in shortage occupations such as scientists and engineers.

JUSTIFICATION

The need in the Federal Government for scientists and engineers is at an alltime peak, and is steadily increasing. Military preparedness today depends in large measure on the products of the research laboratories, and in the race for weapons development, our laboratories must have technically trained and highly skilled employees if we are to be successful. Inability to recruit enough scientists and engineers to man important defense-connected research and development activities is one of the most serious problems facing the Federal Government today. There are also serious shortages in other occupations which impede important activities of Federal departments and agencies. It is urgent that all possible steps be taken to recruit for the Federal service more persons who have skills which are in short supply. The payment of moving expenses and travel costs for new employees and the payment of applicants' travel expenses to Federal agencies would increase the ability of the Government to attract such persons.

The problem

In hiring engineers and scientists, the Government competes with private employers. Private employers today pay moving expenses for their new employees. The Federal Government does not pay similar expenses for its new employees. To ask a person to absorb a \$1,000 to \$1,500 moving bill when he joins the Government is like asking him to take that much of a reduction in salary for the first year. With the kind of labor market we have today this simply means that the Government fails to get the number of people it needs to do the important jobs that must be done. Private industry also pays for the cost of an applicant's visit to the plant or laboratory before he is employed. This is an important recruiting tool which is now denied to Federal agencies and departments.

Industry practice on payment of moving expenses

Private industry pays the moving expenses of its new employees.

Atomic Energy Commission contractors.—The practices of the 27 largest AEC contractors were examined. These include the academic as well as large industrial contractors which together hire 75 percent of all private employees on AEC work. These contractors are among the chief competitors of the Federal Government for scientific talent. With two exceptions, they pay all personal and family travel expenses and all transportation costs for household goods of newly hired key professional employees, particularly engineers and scientists. In addition, many will pay per diem for each member of the family,

often as long as 30 days after arrival at the place of work. Even in the case of the two contractors who do not cover all expenses, one will pay for the movement of household goods and the other for the personal travel expenses of new employees.

Office of Naval Research contractors.—A survey showed that at least 75 percent of all ONR contractors pay moving expenses and personal and family travel costs for new employees in shortage categories.

Air Research and Development Command contractors.—The Air Research and Development Command has approximately 145 contractors of the large industrial type. Of these firms, 90 percent pay moving and travel expenses for new employees and their families.

In all contracts—Atomic Energy, Naval Research, and Air Research and Development Command—moving expenses of new employees are recognized as proper costs of a project and as such the contractor is reimbursed for them by the Federal Government. The practice of paying these expenses is not confined to the contractor's work for the Government, however. It applies to each industrial contractor's private operations as well.

Special studies on payment of moving expenses to new employees in private industry.—The Associated Industries of Cleveland, an association of private firms in the Cleveland area, surveyed the practices of 13 of its member companies. Eleven out of thirteen reported that they would pay moving and travel expenses for certain new employees and their families. Twelve out of thirteen said they would do it for employees whose skills were in short supply.

The Midwestern College Placement Association surveyed the practices of about 200 private concerns. A substantial proportion of the firms surveyed paid moving and travel expenses for the new employee and his family even though the employee had just finished college and was completely inexperienced. Also, the number of firms paying these expenses has been growing and has increased significantly between the years 1953 and 1955. Another survey by the association in September 1956 confirms the fact that this trend in private industry is continuing with more firms paying all or part of these expenses in 1956 than in 1955.

The National Industrial Conference Board in 1956 surveyed the practices of 150 private companies, including a number of insurance and other companies which generally do not employ many people in the shortage occupations. Even including these companies, over 60 percent of the group surveyed reported that they would pay the moving expenses for at least certain categories of new employees. About 85 percent of the companies that pay moving expenses also pay the personal travel costs of new employees. Over 70 percent of these companies provide for the travel costs of the employee's family.

What the private companies say themselves.—Companies like General Electric, RCA, Sylvania, Republic Aviation, Sperry Gyroscope, American Machine & Foundry—all large users of scientific and engineering talent—are just a few of the many firms that advertise continuously in newspapers and journals that they will pay the travel and moving expenses of new employees.

Need for payment of travel and transportation costs in the Federal service

There are many specific instances in which the Government was unable to hire numbers of well-trained individuals who might other-

wise have made significant contributions to Federal research and development activities.

A nuclear physicist, one of the very few men in the country able to accomplish a particularly important assignment without extensive training, refused employment at Dugway Proving Ground because of the Government's failure to pay his moving expense from Santa Fe, N. Mex., to Dugway, Utah.

Engineers living in San Francisco refused employment at Hill Air Force Base, Utah, because of failure to pay moving expenses. They were interviewed in an employment office by Hill Air Force Base and by a private aircraft company, and although interested in the Federal offer, they accepted that of the private company because it included travel and moving expenses.

The United States Naval Radiological Defense Laboratory in San Francisco found a qualified scientist needed for important work. He was willing to join the laboratory but declined when he found his moving expenses would not be paid.

A naval organization in Port Hueneme, Calif., had recruited for several years for an applied mechanician. One was found in Chicago who was qualified and willing to take the job. This man accepted a position with a private employer when he found the Navy could not move his family to California while a private employer would pay for moving expenses.

The Redstone Arsenal in Alabama, an important missile center, reports one instance in which a group of engineers released by a private employer in Denver, Colo., did not accept employment on the missile program because the arsenal was not able to pay for their moving expenses. Thirty-nine of the forty engineers available declined the Federal offer because of the personal expense of moving and accepted jobs with private industry where their moving expenses were paid.

A study of the factors which influenced persons not to accept Government scientific and engineering positions was made by the Pasadena Board of United States Civil Service Examiners. More than 50 percent of the persons surveyed who declined Federal appointments, indicated that one of the reasons for declining was the failure of the Government to pay moving expenses. A similar study by this board conducted in the spring of 1956 showed that the failure to pay moving expenses continued to be a major deterrent to the acceptance of a Federal position. It also showed that in the case of applicants who had declined Federal appointment in favor of private industry, 87 percent of them received reimbursement for all or part of their moving expenses.

Payment of applicant's travel expenses

Well-qualified scientists and engineers don't buy a "pig in a poke" when it comes to deciding on a job. They don't have to in today's market. Private industry has recognized that the kind of equipment a man will have to work with, who his coworkers will be, and the kind of living conditions his family will have can all be important factors in selling him on a particular job. Twenty-one of the twenty-seven largest AEC contractors pay the cost of travel to their plants or laboratories in connection with recruitment for important positions. Contractors for the Office of Naval Research and for the Air Research

and Development Command provide such travel expenses and other private firms advertise continuously that expenses of a visit to the company before employment will be paid.

The Government stands to gain importantly from the payment of these expenses. Its laboratories, its equipment, and its physical plant often surpass the best in private industry. These things can be a powerful inducement for able scientists and engineers, but this advantage is lost unless agencies and installations are able to bring qualified persons in to see them.

Other shortage occupations

The need for payment of moving expenses and applicants' travel expenses extends beyond scientists and engineers to all occupations for which there is a manpower shortage today. Many of the support occupations in the scientific and engineering field are also in short supply. There are shortages in the medical field. There are shortages in key professional jobs in many agencies. Some shortages are nationwide; others are purely local.

Industry does not confine these payments to scientists and engineers. Companies use it to increase their ability to attract the people they need. Government agencies should be able to do the same thing. Flexibility to meet varying kinds of shortages is important if this legislation is to be of maximum benefit to the Government.

Administration of the proposed legislation

Regulations governing travel under the proposed legislation would be prescribed by the Director, Bureau of the Budget, who now has the responsibility for prescribing other travel regulations. The Civil Service Commission would determine those positions which fall into the category of "manpower shortage." Agencies would be provided with a list of such positions. This list would include all series of positions for which the Commission has authorized recruitment at rates above the minimum of the grade in accordance with section 803 of the Classification Act of 1949, as amended. It would also include such other positions for which the Commission determines there is a manpower shortage. For positions on the list, agencies could use the authority provided in the proposed legislation without the necessity of any prior approval. Use of the authority for any other position would require prior approval based on the need in the particular agency or installation.

Funds to pay travel and transportation costs authorized by the draft bill would be secured by individual agencies through their appropriation requests to the Congress. Necessity for justifying funds to be used for these purposes and the generally limited amounts of agency travel funds in relation to travel needs will assure that individual agencies administer these provisions in the best interests of the agency and the Federal service.

New employees are required to agree to a period of 12 months' service before travel and moving costs can be paid. This safeguard is similar to that appearing in the legislation providing travel and moving expenses to overseas stations and assures that the Government will get a fair return for the money it spends on moving new employees.

The legislation will expire 5 years from the date of its enactment.

COST

Cost of the proposed legislation is estimated at \$4,500,000 per year.

This figure is based on estimates of Federal agencies that 4,000 new employees for whom travel and moving expenses would be paid will be hired annually, and that on the average 2 interviews will be conducted for each placement made. The average cost per hire for moving household goods (4,000 pounds for 1,500 miles) and for payment of personal travel expenses and per diem is estimated at \$800. The average travel cost for each interview is estimated at \$150.

The proposed legislation will not involve any expenditures for personal services.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 7 OF THE ADMINISTRATIVE EXPENSES ACT OF 1946, AS AMENDED

* * * * *

SEC. 7. (a) Appropriations for the departments shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States: *Provided*, That such expenses of travel and transportation to posts of duty outside the continental United States shall not be allowed unless and until the person selected for appointment shall agree in writing to remain in the Government service for twelve months following his appointment, unless separated for reasons beyond his control and acceptable to the department or agency concerned and in case of violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be recoverable from the individual concerned as a debt due the United States: *And provided further*, That expenses of return travel and transportation upon separation from the service shall be allowed whether such separation is for the purposes of the Government or for personal convenience, but shall not be allowed unless such persons selected for appointment outside the continental United States shall have served for a minimum period of not less than one nor more than three years prescribed in advance by the head of the department or agency concerned or unless separation is for reasons beyond the control of the individual and acceptable to the department or agency concerned: *Provided further*, That expenses of round trip travel of employee and transportation of

immediate family but excluding household effects, from their posts of duty outside the continental United States to the places of actual residence at time of appointment or transfer to such overseas posts of duty, shall be allowed in the case of persons who have satisfactorily completed an agreed period of service overseas and are returning to their actual place of residence for the purpose of taking leave prior to serving another tour of duty at the same or some other overseas post, under a new written agreement entered into before departing from the overseas post: *Provided further*, That expenses of transportation of the immediate family and shipment of household effects of any employee from the post of duty of such employee outside continental United States to place of actual residence shall be allowed, not in excess of one time, prior to the return of such employee to the United States, including its Territories and possessions, when the employee has acquired eligibility for such transportation or when the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature, such as may involve physical or mental health, death of any member of the immediate family, or obligation imposed by authority or circumstances over which the individual has no control: *And provided further*, That when an employee returns his immediate family and household goods to the United States, including its Territories and possessions, at his own expense prior to his return and for other than reasons of public interest, the Government shall reimburse him for proper transportation expenses at such time as he acquires eligibility therefor. This section shall not apply to appropriations for the Foreign Service, State Department.

(b) *Appropriations for the departments shall be available in accordance with regulations prescribed by the President, for expenses of travel of persons selected for appointment to positions in the continental United States and Alaska for which there is determined by the Civil Service Commission to be a manpower shortage and for expenses of transportation of their immediate families and their household goods and personal effects and for advances of funds to the extent authorized by section 1 (a) and (b) of this Act, from their places of actual residence at time of selection to their first duty station. Such travel expenses may include per diem and mileage allowance for persons selected for appointment as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended. Travel and transportation expenses may be allowed whether the person selected for appointment has been appointed or not at the time of such travel. However, the travel and transportation expenses authorized by this subsection shall not be allowed unless the persons selected for appointment shall agree in writing to remain in the Government service for twelve months following his appointment unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States on account of such travel and transportation shall be recoverable from the individual concerned as a debt due the United States.*

(c) *Appropriations for the departments shall be available in accordance with regulations prescribed by the President for expenses of travel while away from their homes or regular places of business of persons who are*

found qualified to perform in positions for which there is determined by the Civil Service Commission to be a manpower shortage and who are invited by an agency or department to visit it for purposes connected with employment. Such travel expenses may include per diem in lieu of subsistence and mileage allowance as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended.

(d) The authority of the Civil Service Commission to determine for purposes of this Act positions for which there is a manpower shortage shall not be delegated. The provisions of subsections (b) and (c) of section 7 of this Act shall expire five years from the date of their enactment into law.



Union Calendar No. 698

85TH CONGRESS
2D SESSION

H. R. 11133

[Report No. 1764]

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1958

Mr. DAWSON of Illinois (by request) introduced the following bill; which was referred to the Committee on Government Operations

MAY 22, 1958

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 7 of the Administrative Expenses Act of 1946
4 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further
5 amended by inserting "(a)" after the section number and
6 by adding at the end thereof new subsections as follows:

7 "(b) Appropriations for the departments shall be avail-
8 able in accordance with regulations prescribed by the Presi-

1 dent, for expenses of travel of persons selected for appoint-
2 ment to positions in the continental United States and
3 Alaska for which there is determined by the Civil Service
4 Commission to be a manpower shortage and for expenses
5 of transportation of their immediate families and their house-
6 hold goods and personal effects and for advances of funds
7 to the extent authorized by section 1 (a) and (b) of this
8 Act, from their places of actual residence at time of selection
9 to their first duty station. Such travel expenses may in-
10 clude per diem and mileage allowance for persons selected
11 for appointment as provided for civilian officers and em-
12 ployees by the Travel Expense Act of 1949, as amended.
13 Travel and transportation expenses may be allowed whether
14 the person selected for appointment has been appointed
15 or not at the time of such travel. However, the travel
16 and transportation expenses authorized by this subsection
17 shall not be allowed unless the person selected for ap-
18 pointment shall agree in writing to remain in the Govern-
19 ment service for twelve months following his appointment
20 unless separated for reasons beyond his control and accept-
21 able to the department or agency concerned. In case of
22 violation of such agreement, any moneys expended by the
23 United States on account of such travel and transportation
24 shall be recoverable from the individual concerned as a debt
25 due the United States.

1 “(c) Appropriations for the departments shall be avail-
2 able in accordance with regulations prescribed by the Presi-
3 dent for expenses of travel while away from their homes or
4 regular places of business of persons who are found qualified
5 to perform in positions for which there is determined by the
6 Civil Service Commission to be a manpower shortage and
7 who are invited by an agency or department to visit it for
8 purposes connected with employment. Such travel expenses
9 may include per diem in lieu of subsistence and mileage
10 allowance as provided for civilian officers and employees by
11 the Travel Expense Act of 1949, as amended.

12 “(d) The authority of the Civil Service Commission
13 to determine for purposes of this Act positions for which
14 there is a manpower shortage shall not be delegated. The
15 provisions of subsections (b) and (c) of section 7 of this
16 Act shall expire five years from the date of their enactment
17 into law.”

[Report No. 1764]

A BILL

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

By Mr. Dawson of Illinois

MARCH 4, 1958

Referred to the Committee on Government Operations

MAY 22, 1958

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

~~NO.~~ H. R. 11153

January 10, 1965

A BILL

For the relief of the estate of
[Name of decedent]
deceased, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That

Section 1. [Text of bill]

Section 2.

Section 3. [Text of bill]

June 26, 1958

"The Director of the Bureau of the Budget also indicated that, as a general policy, the Bureau will not approve any new budget request for training authority to be included in appropriation acts in any year after the year in which this bill is enacted. This is in accordance with the purpose and intent of the bill and the policy of the committee.

"The matter of cost was given primary consideration throughout the committee deliberations in recognition of the importance of preventing in advance any mushrooming of costs or expansion of payrolls whenever approving a new program -- a matter in which the Congress always is directly concerned."

3. FOREIGN AID. Received a revised conference report on H. R. 12181, the mutual security authorization bill (H. Rept. 2038). (pp. 11109-118) See Digest 103 for items of interest to this Department.
4. CIVIL DEFENSE. Passed without amendment H. R. 12827, to extend the standby emergency authorities of FCDA until June 30, 1962. pp. 11121-122
5. TAXATION. Received the conference report on H. R. 12695, to extend for 1 year the corporate normal-tax rate and certain excise tax rates, and to repeal the tax on transportation. The Senate agreed to the report earlier. pp. 11145-146, 11221-223 (H. Rept. 2025)
Reps. McCarthy and Saylor urged repeal of the tax on transportation. pp. 11177, 11180
6. TRAVEL EXPENSES. Passed under suspension of the rules H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. pp. 11168-169
7. ROADS. Passed as reported H. R. 12776, to revise and codify title 23 of the U. S. Code, entitled "Highways." pp. 11169-170
8. PROPERTY. The Government Operations Committee reported without amendment H. R. 12165, to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by RFC and its subsidiaries to other Government Departments (H. Rept. 2024). p. 11184
9. TRANSPORTATION. H. R. 12832, the omnibus transportation bill, as reported by the Interstate and Foreign Commerce Committee (see Digest 100) freezes the so-called agricultural exemption from motor-carrier regulation by the Interstate Commerce Commission to the present list of exemptions, except for a roll-back on frozen fruits, frozen berries, frozen vegetables, coffee, tea, cocoa, hemp, wool imports, and certain categories of domestic wool (i.e., these articles would no longer be exempt). The committee report contains the following statement regarding this provision:
"Regulated carriers are handicapped in their competition with non-regulated carriers for traffic in exempt agricultural commodities. The unregulated carriers are not subject to ICC operating authority, control, rate regulation, rules requiring equal treatment to shippers, areas and commodities, and rules requiring insurance and claims responsibility to which all regulated carriers are subjected. The nonregulated carriers can pick and choose whatever traffic they desire and establish their rates at whatever levels they wish without making them public and without considering whether the charges are reasonable or nondiscriminatory, as required by regulated carriers. As a consequence, large and ever-increasing

volumes of important agricultural commodities and seafood previously handled by regulated carriers, both rail and truck, have been diverted to the exempt truckers and the diversion continues. The impact upon the regulated carriers is already serious. The removal of further classes of traffic from the regulated category is threatened by the trend of administrative and judicial determinations, expanding the scope of the exemption.

"If the Supreme Court's 'continuing substantial identity' test continues to be applied literally by the courts, it is conceivable that a considerable number of other commodities will be held to be exempt, such as canned fruits and vegetables which are processed at large industrial plants rather than by farmers. It is important that this trend be halted before the position of the regulated carriers is more seriously impaired. The committee, therefore, recommends a freezing, with a slight rollback, of the agricultural exemption in accordance with ruling No. 107, March 19, 1958, Bureau of Motor Carriers of the Interstate Commerce Commission. This amendment would halt further expansion of the scope of the exemption, and it would return to economic regulation the transportation of frozen fruits, frozen berries, frozen vegetables, coffee, tea, cocoa, hemp, imported wool and certain categories of domestic wool. The transportation of cooked fish or shellfish, now subject to regulations is made exempt from such regulation. It is not intended that this exemption shall apply to fish or shellfish which have been treated for preserving such as canned, smoked, salted, pickled, spiced, corned or kippered products.

"Any person engaged on June 1, 1958, in trucking the aforementioned commodities which are returned to regulation by this amendment would be entitled upon application to a certificate or permit allowing him, under regulation, to continue hauling the same commodities within the same areas or between the same points."

10. FORESTRY. The Interior and Insular Affairs Committee reported without amendment H. R. 6038, to authorize transfers of land between the Sequoia National Forest and the Kings Canyon National Park. (H. Rept. 2032). p. 11184
11. TOBACCO. The Tobacco Subcommittee of the Agriculture Committee ordered reported H. R. 12840, to provide a single acreage allotment for Va. sun-cured and Va. fire-cured tobaccos if farmers vote approval in a referendum. p. D601
12. MINING. A subcommittee of the Interior and Insular Affairs Committee ordered reported with amendment S. 3199, to specify the period for doing annual assessment work on unpatented mineral claims. p. D602
13. WILDLIFE. A subcommittee of the Merchant Marine and Fisheries Committee ordered reported with amendments S. 2617, to authorize the purchase by the Secretary of the Interior of wetlands and small areas for migratory bird sanctuaries from funds collected from the sale of Migratory Bird hunting stamps, and S. 2447, to authorize studies by Interior of the effects of insecticides upon fish and wildlife. p. D602
14. MINERALS; WATER RESOURCES. Passed under suspension of the rules H. R. 11123, to authorize Interior to perform surveys, investigations, and research in geology, biology, minerals and water resources. pp. 11161-162
15. FOREIGN CONSTRUCTION. Received from the Government Operations Committee a report "pertaining to foreign-aid construction projects" (H. Rept. 2012). p. 11184

memorial—a design which has been praised by many, including the National Fine Arts Commission.

Held conferences with the Chairman of the Philippines National Shrines Commission which resulted in formal acceptance of the memorial design to be placed on Corregidor.

Conducted a preliminary survey of the potentialities of a fund-raising campaign and developed the basic requirements for such a drive.

Maintained a small staff of two persons for 2 years in facilities provided at no cost by the Veterans' Administration.

In the bill before the House there is an authorization for an additional \$100,000 to remain available without fiscal year limitation. An appropriation of \$46,000 has been requested for the coming fiscal year to maintain the present staff, to provide for travel to the Philippines and for special contractual services. It is possible that these latter two categories may be reduced substantially. If so, the actual expenditures may not exceed \$25,000. In short, the authorization requested will enable the Commission to operate during the coming 2 years in which the 86th Congress will be in session. During that period, I would anticipate that the Commission will be able to initiate construction of the Pacific War Memorial.

As most of you are aware, the members of the Commission serve without salary or compensation, and the only paid staff consists of one principal officer and the expenses of a clerk.

It was the original intention of the Commission to raise money by public subscription in order to finance the construction of the Pacific Memorial at an approximate cost of \$7,500,000. It is recognized that this is a sizeable sum to raise. Therefore, the Commission is proposing legislation, pending in other bills, to make the scrapping of certain old and obsolete warships serve a meaningful purpose. We now have a number of obsolete naval vessels which the Government plans to sell for steel scrap. These include 5 battleships and 8 cruisers, all of which served in the Pacific Theater during World War II. The other legislation I spoke of proposes that the proceeds of the scrapping be used to construct the memorial.

As I pointed out earlier, the only purpose of this bill which the House is considering today is to do two things: First, to make certain minor changes of a clarifying nature; and, second, to change the authorization in the present law providing \$100,000 for the Commission's expenses and substitute the sum of \$200,000—an addition of \$100,000. There is every reason to believe that this amount will be more than sufficient to enable the Commission to continue its operations for another 2 years.

Mr. Speaker, much of the basic work has been accomplished. The Commission has now reached a point where its work is approaching its most critical stage. It is my hope that the House will act favorably on this measure.

Mr. VORYS. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I have a question or two that I should like to ask the committee. But, let me preface that by saying that here is another example of a commission that apparently has spent 36 percent of the money allocated to it for salaries and expenses and, as I remember the figure read by the gentleman from Alabama, another 32 percent has gone for architectural fees and apparently this project has not even started to get off the ground yet. What is meant by the language, if I may ask, on page 2? It is my understanding that this was originally proposed as a memorial to be built on Corregidor. Now the bill provides that the memorial, or apparently provides at least, that the memorial may be erected "in the Pacific area." Where do you propose to erect this memorial?

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. SELDEN. There has been no change in the site of the memorial. The language has been broadened simply to provide that a memorial may be built for all servicemen who fought in the entire Pacific area under the American flag rather than limiting it to those who fought in the Philippine Islands.

Mr. GROSS. Does the gentleman know whether there is a memorial now being erected in Hawaii for the war dead of World War II, the Pacific war dead of World War II?

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. We have a cemetery already completed on the island of Oahu and there we bury the unknown dead that have been gathered from various islands on the Pacific.

Mr. GROSS. I understand a memorial is contemplated or under construction in San Francisco to the Pacific war dead.

Mr. VAN ZANDT. I know nothing about that.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. GARY. Is it not true that there is another memorial proposed at Pearl Harbor to make a monument of the battleship *Arizona*, which is one of the battleships out there that was sunk at Pearl Harbor?

Mr. GROSS. I can think of no more fitting memorial and permanent memorial than that battleship which is today the tomb of hundreds of our servicemen.

Mr. GARY. And it is true that a memorial is being erected there and we provided the funds, if I am not mistaken.

Mr. GROSS. I thank the gentleman. Do I understand that the project here proposed is going to cost \$7 million?

Mr. VAN ZANDT. Seven and one-half million dollars.

Mr. GROSS. Seven and one-half million dollars. How is the money to be provided?

Mr. VAN ZANDT. We have not yet made the decision.

Mr. GROSS. And you want still another \$100,000?

Mr. VAN ZANDT. We want an additional authorization for \$100,000. We do not contemplate spending it. We expect to spend just about half of it entirely for administrative costs.

Mr. GROSS. Mr. Speaker, in view of the money which has already been spent; in view of the uncertainty surrounding this project and the probability that in due time the Commission will come to the Congress to provide the \$7½ million, I must be opposed to this bill. I cannot go along with this proposition providing for another \$100,000 for a Commission which has spent \$80,000 to \$100,000 and has very little to show for it.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. It is true that we have this memorial cemetery in Hawaii.

As I said a moment ago, it is a national cemetery. It is true, we are building a monument in Pearl Harbor over the remains of the submerged hull of the U. S. S. *Arizona* in honor of those men who were members of the crew of the *Arizona*, whose bodies are still in the hull of the ship. But the monument we are talking about will be erected on the island of Corregidor, not only in honor of Americans, but Philippine nationals who were a part of our forces at that time, who gave their lives. It is to those men that we intend to honor with this monument.

Mr. VORYS. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I urge the passage of H. R. 10069 authorizing an additional \$100,000 for the expenses of the Corregidor Bataan Memorial Commission. It is highly probable that probably not more than one-half of this amount will be used, for our total expenditures may not exceed \$127,500. The actual expenditures, \$77,300, plus \$50,000, a very modest increase over the original authorization of \$100,000.

There are important reasons why the work of the Commission should continue and go forward at least during the 2 years of the next Congress.

First, the passage by the Congress of legislation establishing this Commission; second, the recovery by President Magaysay of the Philippine National Shrine Commission and their acceptance of the winning design for the memorial. Consequently, the people of the Philippines believed that this memorial is to be built on Corregidor. No commitment has been made that such will be done. In view of this situation, we should provide that the Corregidor Bataan Memorial Commission, which the Congress created, in order to assure their ability to function for the next 2 years, should have this authorization.

The statement has been made that this project is not off the ground. For the past several years the Commission has been planning, and as a result of the planning we are now ready to proceed with the project. Therefore I say that we are ready to get off the ground but we cannot leave the ground unless we get the necessary authorization and final

appropriations that will cover the cost of administering the project itself.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. GROSS. How many monument commissions are presently operating in the Pacific area?

Mr. VAN ZANDT. I cannot answer the gentleman's question. I am only interested in the Corregidor Bataan Commission.

Mr. Speaker, I yield back the remainder of my time.

Mr. VORYS. Mr. Speaker, I yield myself half a minute.

We have a Battle Monuments Commission continuing to maintain battle monuments that we have all over the battlefields of Europe. We would certainly look silly if we let this memorial on Corregidor stop at this time.

I now yield to one of the heroes of the war in the Pacific, our distinguished colleague, Gen. JIM DEVEREUX, the gentleman from Maryland.

[Mr. DEVEREUX addressed the House. His remarks will appear hereafter in the Appendix.]

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11133) to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further amended by inserting "(a)" after the section number and by adding at the end thereof new subsections as follows:

"(b) Appropriations for the departments shall be available in accordance with regulations prescribed by the President, for expenses of travel of persons selected for appointment to positions in the continental United States and Alaska for which there is determined by the Civil Service Commission to be a manpower shortage and for expenses of transportation of their immediate families and their household goods and personal effects and for advances of funds to the extent authorized by section 1 (a) and (b) of this act, from their places of actual residence at time of selection to their first duty station. Such travel expenses may include per diem and mileage allowance for persons selected for appointment as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended. Travel and transportation expenses may be allowed whether the person selected for appointment has been appointed or not at the time of such travel. However, the travel

and transportation expenses authorized by this subsection shall not be allowed unless the person selected for appointment shall agree in writing to remain in the Government service for 12 months following his appointment, unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States on account of such travel and transportation shall be recoverable from the individual concerned as a debt due the United States.

"(c) Appropriations for the departments shall be available in accordance with regulations prescribed by the President for expenses of travel while away from their homes or regular places of business of persons who are found qualified to perform in positions for which there is determined by the Civil Service Commission to be a manpower shortage and who are invited by an agency or department to visit it for purposes connected with employment. Such travel expenses may include per diem in lieu of subsistence and mileage allowance as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended.

"(d) The authority of the Civil Service Commission to determine for purposes of this Act positions for which there is a manpower shortage shall not be delegated. The provisions of subsections (b) and (c) of section 7 of this act shall expire 5 years from the date of their enactment into law."

Mr. BROWNSON. Mr. Speaker, I demand a second.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H. R. 11133 was submitted to the Congress and introduced by request of the United States Civil Service Commission. It is identical with an amended bill reported by the Committee on Government Operations which passed the House of Representatives in the 84th Congress, but which was not acted upon by the Senate.

This bill is designed to improve the ability of the Federal Government to attract able scientists and engineers and other personnel in short supply whose skills are essential to the national security effort and to the proper functioning of the executive departments. This legislation would place Government laboratories seeking scientists and engineers on a more equal footing with private industry, which for some time has been paying travel and moving expenses for its new employees and travel expenses for applicants to visit plants as an aid in recruitment. It will also assist Federal departments in securing needed personnel in other shortage occupations.

In brief, two changes are made in existing legislation by this measure:

First. Travel expenses of persons selected for appointment and transportation of their immediate families and household effects may be paid from their residences to their first duty stations in the United States or Alaska. Thus, the travel and moving expenses of a newly hired scientist who lived in Washington could be paid to New Mexico, for exam-

ple, if he was to be employed in a Government laboratory there. This cannot be done now. These payments would be limited to positions in which there was a manpower shortage determined by the United States Civil Service Commission.

Second. Travel expenses may be paid to prospective employees who are invited to visit an agency or department for interviewing or other purposes connected with employment. Thus, a scientist who lived in Washington and was a good prospect for employment in the laboratory in New Mexico would be paid travel expenses to the New Mexico laboratory for an interview.

Hearings were held on the current bill by the Subcommittee on Executive and Legislative Reorganization at which time representatives of the Civil Service Commission were closely questioned on the effects and the cost of the legislation. Printed copies of the hearings are available.

It was estimated by the Civil Service Commission and the Bureau of the Budget that the bill would cost an additional \$4.5 million per year.

The legislation will expire 5 years from the date of its enactment.

The committee believes the passage of this bill is a necessary step to enable the Federal Government to meet its needs for workers, most of whom will be in professional and technical classifications. The shortage of engineers and scientists, in particular, is common knowledge and has been a matter of growing concern. The Government must compete with the inducements of private industry or its vast scientific and technical programs cannot be accomplished. A detailed justification for the bill, prepared by the United States Civil Service Commission, is included in the report.

Mr. BROWNSON. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H. R. 11133 can, I think, truly be said to be an administration bill. It is based on a Civil Service Commission request. The House has acted on it previously. It comes from the Committee on Government Operations with the unanimous approval of the subcommittee and of the full committee. May I congratulate our chairman, the gentleman from Illinois [Mr. DAWSON] on introducing this measure.

What the bill does is very simple as the gentleman from Florida [Mr. FASCELL] has stated, to put the Federal Government in a little bit better light to compete with industry in solving the Government's need for scientists and highly-trained engineering specialists, as well as technical personnel trained in the field of higher engineering.

When an engineer is being considered by private industry he is given the opportunity of journeying, all expenses paid, to be interviewed at the installation where he will be employed; and, further, he has the opportunity to find out the type of equipment and the type of job on which he will be employed before he is asked to make a decision. The armed services of the Government have been trying to recruit their engineers and highly skilled personnel by giving

them a rough idea of what the job will be like. They have not been in a position where they could have the person visit the operation to get an insight into what his duties would be and what the challenge to his skills would be.

Likewise we find that in many cases highly qualified personnel have refused Government employment in which they had evidenced great interest because there was no provision for the Government to pay the moving expenses of themselves and their families to the sometimes distant location at which the Government installation was located.

If you will read the excellent report which the committee has prepared, you will find on pages 5 and 6 numerous instances detailed in which the Government has lost the services of valuable scientific and engineering personnel. Thirty-nine out of forty engineers we tried to recruit for the Redstone Arsenal, a most important missile center, were lost because the Government could not compete with private defense contractors in paying the moving expenses of a man and his family to the site. In the report on pages 4 and 5 you will find citations of the inducements industry, under contract to Government, offers scientific and engineering talent.

There are adequate safeguards built into this piece of legislation so that I do not believe it can be abused. The cost is very modest as such things go today. It has been estimated at a maximum of \$4½ million a year to recruit 4,000 engineers and scientists. It will place the Federal Government in a reasonable position where it can come somewhat closer to competing with industry for highly trained scientific and engineering personnel and talent than it is able to do today. It is very important to our whole program of defense and to our other Government research programs in the various agencies that legislation of this type be adopted at once.

(Mr. BROWNSON and Mr. FASCELL asked and were given permission to revise and extend their remarks.)

The SPEAKER pro tempore (Mr. DELANEY). The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

TITLE 23, UNITED STATES CODE, HIGHWAYS

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12776) to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. FALLON]?

Mr. MCGREGOR. Mr. Speaker, reserving the right to object, and I will not do so, may we have the chairman of the subcommittee explain the proposal that is being presented and the reason for it being done in this way?

Mr. FALLON. Mr. Speaker, we are here under suspension, but I asked that the bill be considered by unanimous consent because if we do that the bill will not have to be printed in the Journal. The bill is such a lengthy one that the expense of printing in the Journal could be saved. It would cost thousands of dollars to do it.

Mr. MCGREGOR. I am certainly in accord with the reason for it being presented in this way and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. FALLON]?

There was no objection.

The Clerk read the bill.

With the following committee amendments:

Page 3, in the paragraph defining the term "parkway" strike out "chapter 3" and insert "chapter 2."

Page 6, section 103 (f) is amended by striking out "title" and inserting in lieu thereof "chapter."

Page 14, section 109 (e) is amended by striking out "chapter 3" and inserting in lieu thereof "chapter 2."

Pages 17 and 18, section 115 (a) is amended by striking out "subsection (b) (4) (5)" each place it occurs and inserting in lieu thereof "subsection (b) (4) and (5)" at each such place.

Page 22, section 121 (d) strike out "the Federal share of 10 per centum" and insert in lieu thereof "10 per centum of the Federal share."

Page 25, the side heading of section 127 is amended by striking out "limitation" and inserting in lieu thereof "limitations."

Page 27, section 129 (b) is amended by striking out in the last sentence thereof "Nor" and inserting in lieu thereof "No."

Page 28, section 130 (a) is amended by striking out "affected" and inserting in lieu thereof "effected."

Page 30, section 131 (b) is amended by striking out "Provided, however, That" and inserting in lieu thereof a comma and the following: "and."

Page 30, section 131 (c) is amended by striking out "Provided, That the" and inserting in lieu thereof a period and the following: "The."

Page 31, section 131 (e) is amended by striking out "Provided, That reimbursement" and inserting in lieu thereof a period and the following: "Reimbursement."

Page 39, section 213 (a) (5) is amended by striking out "neds" and inserting in lieu thereof "needs."

Page 41, section 303 (c) is amended by striking out "\$100 diem" and inserting in lieu thereof "\$100 per diem."

Page 45, section 318 (a) is amended by striking out "determines" and inserting in lieu thereof "determines."

Page 46, section 318 (d) is amended by striking out "chapter 3" and inserting in lieu thereof "chapter 2."

Page 52, subparagraph (f) of paragraph 38 of section 2 is amended to read as follows: "(f) Section 108 (b) and (c)."

The committee amendments were agreed to.

Mr. GROSS. Mr. Speaker, will the gentleman give us a slight explanation of this bill?

Mr. FALLON. Mr. Speaker, H. R. 12776 is a bill which represents the culmination of many years of intensive work and study. Its purpose is to place into one clear and concise package all the Federal highway laws of the United

States that have been enacted since the first Federal Road Act in 1916.

The need for this type of legislation has become increasingly apparent over the last few years particularly since the enactment of the Federal-Aid Highway Act of 1956 and its immediate successor the Federal-Aid Highway Act of 1958. These two acts placed the road program of the United States in the billion-dollar category.

In 1951 the 82d Congress had before it a codification bill on which no action was taken. Then in 1954 the Congress saw fit to include in the Federal-Aid Highway Act of that year a proviso requiring the Secretary of Commerce to transmit to the Congress a suggested draft of a bill for the revision of the Federal-aid highway laws. In the 84th Congress further hearings were held on this legislation, but no action was taken. As a result of the hearings held on legislation which eventually became the tremendously important Federal-Aid Highway Act of 1956, this codification was further delayed. During this 2d session of the 85th Congress I had the privilege of introducing the bill which is now before this body today. Hearings on my bill were held by the Committee on Public Works. At that time the Bureau of Public Roads, the Department of Commerce and all other interested groups including the American Association of State Highway Officials, the American Road Builders, the American Automobile Association, and the American Bar Association recommended immediate enactment of this legislation.

This bill which appears before you today has been completely and carefully studied by leading highway organizations and their counsels; including the aforementioned organizations; the General Counsel and officials of the Bureau of Public Roads and the staff of the Public Works Committee. It revises, codifies, and enacts into law all the Federal-aid highway laws of the United States. It contains all of the existing Federal-aid highway laws in clear and concise language. It makes no substantive changes in the law but sets the laws up in an orderly and logical arrangement.

The need for this bill is apparent. It will be of tremendous help to Federal officials, State highway officials, and all those who day by day have to carry out the broad highway program of the Federal Government. It will reduce our current Federal highway-aid statutes to a single document that will be a clear and definitive guide for the States and the Bureau of Public Roads in their administration of the highway program. It will be a starting place from which to reference subsequent legislation.

I am happy to present this bill to the Congress today and cannot urge too strongly its approval by this body.

Mr. GROSS. Mr. Speaker, if the gentleman will yield, this is purely legislation to provide for codification.

Mr. FALLON. This is a restatement of the law put into one volume so that the people who have to work under it can work under one volume.

Mr. Speaker, I ask unanimous consent to dispense with the printing of the bill in the RECORD due to its excessive length.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. FALLON asked and was given permission to revise and extend his remarks.)

(Mr. CRAMER (at the request of Mr. MCGREGOR) was given permission to extend his remarks at this point in the RECORD.)

Mr. CRAMER. Mr. Speaker, I join my colleagues on the Public Works Committee, as a member of the Roads Subcommittee that has jurisdiction over highway legislation, and also as a member of the Judiciary Committee and the subcommittee thereof having jurisdiction over the recodification of our laws, in supporting H. R. 12776, which authorizes a much-needed compilation of all existing legislation concerning highways. Heretofore various and sundry laws have been scattered all over the statute books and difficult to understand assimilate.

The act makes no change in existing substantive law but does revise existing law to clarify and reconcile certain provisions, consolidates similar provisions and omits superseded sections.

Since the enactment of the first Federal Aid Road Act of July 11, 1916, some 40 separate laws have been enacted and many well-accepted practices and procedures justify codification in the law, which is the objective of this bill.

Lengthy consideration has been given to this problem. The bill was considered by the Public Works Committee; the Judiciary Committee that has jurisdiction over recodification has been constantly consulted, and I understand that my subcommittee of the Judiciary Committee is in agreement with this bill.

I am glad that this rather arduous, time-consuming and painstaking task has been brought to a successful conclusion. As the result of our action the public will have easy access to the very complicated and numerous highway laws and will have conflicts between those laws resolved for the first time in this bill.

I am happy to have had a part in this effort which I am sure will prove most valuable.

ATOMIC ENERGY COMMISSION

Mr. PRICE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12457) to further amend Public Law 85-162 and Public Law 84-141, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That section 101 of Public Law 85-162, as amended, is further amended by striking therefrom the figure "\$251,230,000" and inserting in lieu thereof the figure "\$259,480,000."

Sec. 2. Section 101 (e) of Public Law 85-162 is amended by striking therefrom the figure "\$7,750,000" for project 58-e-6, project Sherwood plant, and substituting therefor the figure "\$10,000,000."

Sec. 3. Section 101 (c) of Public Law 84-141, as amended, is further amended by striking therefrom the figure "\$10,000,000" for project 56-c-1, particle accelerator program, and substituting therefor the figure "\$19,406,000."

The SPEAKER. Is a second demanded?

Mr. VAN ZANDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. PRICE. Mr. Speaker, H. R. 12457 is a bill reported out unanimously by the Joint Committee on Atomic Energy to further amend Public Law 85-162 and Public Law 84-141 to increase the authorization for appropriations to the Atomic Energy Commission for two important programs. As chairman of the Research and Development Subcommittee of the Joint Committee, I would like to make a brief statement of explanation of this bill.

The first increase is in the amount of \$2,250,000 for the Project Sherwood plant, which involves research in the field of controlled thermonuclear reactions. Most of these funds will be used for new construction at Princeton University where the new model C stellerator is under construction.

The second increase is to provide an additional \$9,406,000 authorization for the particle accelerator program. These funds will be used to advance construction of high-energy accelerators now under construction at Cambridge, Mass., by a Harvard University-MIT team, and at Philadelphia, Pa., by a Princeton-University of Pennsylvania team.

Mr. Speaker, these bills were reported out unanimously by the Joint Committee and construction of these projects may be held up unless increased authorization can be granted as soon as possible.

The gentleman from Pennsylvania [Mr. VAN ZANDT], the ranking House minority member, and I have arranged with the leadership of the House on both sides to consider this bill under suspension of the rules. Because of the importance and the urgency of these projects, from the research and development point of view, and in view of the unanimous support of the members of the Joint Committee, I request that it be approved by the House.

Mr. VAN ZANDT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I join my colleague the gentleman from Illinois [Mr. PRICE], the chairman of the Subcommittee on Research and Development of the Joint Committee, in urging prompt action by the House on H. R. 12457.

As stated by the gentleman from Illinois [Mr. PRICE], this bill provides increased authorization for two very important projects in our physical research program namely, the Project Sherwood plant at Princeton and the particle accelerator program.

I might point out, Mr. Speaker, that this Sherwood plant at Princeton, hous-

ing the so-called model C stellerator, will play a vital role in this country's efforts to achieve a true controlled thermonuclear reaction or tap a source of heat or energy comparable to that of the sun. The stellerator will be our first large-scale device in the Sherwood program and it is hoped that the machine will achieve temperatures sufficiently high to produce real thermonuclear neutrons. The temperatures required for such reactions reaches the astronomical range of 100,000,000°.

The Joint Committee has been informed by the Atomic Energy Commission that prompt action on this legislation is most important to insure against delay in carrying out this most important project. In view of the rapid strides being taken by other nations, such as Great Britain and the Soviet Union, in harnessing the energy of the hydrogen atom, I believe it is imperative that we lend every possible support to our own research program in this field.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SWITCHBLADE KNIVES

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12850) to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That as used in this act—

(a) The term "interstate commerce" means commerce between any State, Territory, possession of the United States, or the District of Columbia, and any place outside thereof.

(b) The term "switchblade knife" means any knife having a blade which opens automatically—

(1) by hand pressure applied to a button or other device in the handle of the knife, or

(2) by operation of inertia, gravity, or both.

SEC. 2. Whoever knowingly introduces, or manufactures for introduction, into interstate commerce, or transports or distributes in interstate commerce, any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than 5 years, or both.

SEC. 3. Whoever, within any Territory or possession of the United States, within Indian country (as defined in sec. 1151 of title 18 of the United States Code), or within the special maritime and territory jurisdiction of the United States (as defined in sec. 7 of title 18 of the United States Code), manufactures, sells, or possesses any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than 5 years, or both.

SEC. 4. Sections 2 and 3 of this act shall not apply to—

(1) any common carrier or contract carrier, with respect to any switchblade knife shipped, transported, or delivered for shipment in interstate commerce in the ordinary course of business;

(2) the manufacture, sale, transportation, distribution, possession, or introduction into

85TH CONGRESS
2^D SESSION

H. R. 11133

IN THE SENATE OF THE UNITED STATES

JUNE 27 (legislative day, JUNE 24), 1958

Read twice and referred to the Committee on Government Operations

AN ACT

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 7 of the Administrative Expenses Act of 1946
4 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further
5 amended by inserting “(a)” after the section number and
6 by adding at the end thereof new subsections as follows:

7 “(b) Appropriations for the departments shall be avail-
8 able in accordance with regulations prescribed by the Presi-

1 dent, for expenses of travel of persons selected for appoint-
2 ment to positions in the continental United States and
3 Alaska for which there is determined by the Civil Service
4 Commission to be a manpower shortage and for expenses
5 of transportation of their immediate families and their house-
6 hold goods and personal effects and for advances of funds
7 to the extent authorized by section 1 (a) and (b) of this
8 Act, from their places of actual residence at time of selection
9 to their first duty station. Such travel expenses may in-
10 clude per diem and mileage allowance for persons selected
11 for appointment as provided for civilian officers and em-
12 ployees by the Travel Expense Act of 1949, as amended.
13 Travel and transportation expenses may be allowed whether
14 the person selected for appointment has been appointed
15 or not at the time of such travel. However, the travel
16 and transportation expenses authorized by this subsection
17 shall not be allowed unless the person selected for appoint-
18 ment shall agree in writing to remain in the Government
19 service for twelve months following his appointment unless
20 separated for reasons beyond his control and acceptable
21 to the department or agency concerned. In case of violation
22 of such agreement, any moneys expended by the United
23 States on account of such travel and transportation shall
24 be recoverable from the individual concerned as a debt due
25 the United States.

1 “(c) Appropriations for the departments shall be avail-
2 able in accordance with regulations prescribed by the Presi-
3 dent for expenses of travel while away from their homes or
4 regular places of business of persons who are found qualified
5 to perform in positions for which there is determined by the
6 Civil Service Commission to be a manpower shortage and
7 who are invited by an agency or department to visit it for
8 purposes connected with employment. Such travel expenses
9 may include per diem in lieu of subsistence and mileage
10 allowance as provided for civilian officers and employees by
11 the Travel Expense Act of 1949, as amended.

12 “(d) The authority of the Civil Service Commission
13 to determine for purposes of this Act positions for which
14 there is a manpower shortage shall not be delegated. The
15 provisions of subsections (b) and (c) of section 7 of this
16 Act shall expire five years from the date of their enactment
17 into law.”

Passed the House of Representatives June 26, 1958.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

JUNE 27 (legislative day, JUNE 24), 1958
Read twice and referred to the Committee on
Government Operations

Aug 4, 1958

32. PEANUTS. The Agriculture and Forestry Committee reported without amendment H. R. 12224, to prohibit the creation of an acreage history on peanuts after 1957 by those growing peanuts without an acreage allotment (S. Rept. 2161). p. 14546
33. LIVESTOCK DISEASES. The Agriculture and Forestry Committee reported with amendments H. R. 12126, to extend to wild animals the same prohibition against entry into the U. S. as domestic animals from any country where rinderpest or foot-and-mouth disease exists (S. Rept. 2186). p. 14546
34. TRAVEL EXPENSES. The Government Operations Committee reported with amendments H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage (S. Rept. 2185). p. 14546
35. IMPORTS. Agreed to the conference report on H. R. 6006, to provide for greater certainty, speed, and efficiency in the enforcement of the Anti-dumping Act. p. 14645
36. FOREIGN TRADE. Received from the State Department a report, "Statistical Review of East-West Trade 1956-57," for the period July 1-Dec. 31, 1957. p. 14544
37. FISCAL POLICY. Sen. Bush predicted that the budget deficit could go as high as a total of \$20 billion for fiscal years 1958-59-60 if expenditures were not cut or taxes increased, discussed certain steps he urged to "recapture control of the financial affairs of the United States," and inserted various materials on this subject. pp. 14633-42
38. INFORMATION. Sen. Bible commended the Senate on passage of H. R. 2767, to prevent the use of section 161 of the Revised Statutes as authority for the withholding of information or limiting the availability of records to the public. p. 14548
39. PERSONNEL ETHICS. Sen. Neuberger inserted a column commending Sen. Case's proposed bill to require public accounting for gifts received by Government officials and the placing of all communications on a case pending before a Federal agency on the public record. pp. 14549-50
40. COUNTRY LIFE COMMISSION. Sen. Wiley urged the enactment of the bill to provide for a Country Life Commission, pointed to the problems involved in the changing character of American agriculture with which the Commission might deal, and inserted a favorable resolution from the Wis. Council of Farmer Cooperatives. pp. 14613-14
41. STATEHOOD. Sen. Allott criticized Sen. Humphrey for what he asserted was a partisan assessment of the chief supporters of Alaskan statehood and urged that bipartisan cooperation begin to pass the Hawaiian statehood bill. pp. 14666-7
42. WATERSHEDS. Received from the Budget Bureau plans for works of improvement on Furnace Brook-Middle River, Conn. and Mass.; Busseron watershed, Ind.; and Crooked Creek, Iowa; to the Agriculture and Forestry Committee. p. 14544
43. BORROWING AUTHORITY. Received from the Office of Defense and Civilian Mobilization a report on borrowing authority for the first quarter of 1958. p. 14544

44. LEGISLATIVE PROGRAM. Sen. Johnson announced that the Senate was entering the last days of the session but that he could not predict the time of adjournment, only that "this body will not end its proceedings until it has finished its work." pp. 14543-4

ITEMS IN APPENDIX

45. FAIR TRADE. Rep. Alger stated that the proposed fair-trade bill "would not be fair to anyone--not to the consumer, nor the retailer for whom it is intended to protect," and inserted 2 editorials on this subject. pp. A6942, A6947
46. POSTAL RATES. Rep. McCarthy inserted an article, "Mail Rates Should Be Based on Delivery Cost," and stated that "it points out the real need for a re-examination of the whole mail-rate structure." pp. A6946-7

BILLS INTRODUCED

47. PERSONNEL. H. R. 13653, by Rep. Haley, to terminate the payment of certain additional compensation to civilian officers and employees of the United States stationed outside the continental United States or in Alaska; to Post Office and Civil Service Committee.
48. PROPERTY. H. R. 13657, by Rep. Patterson, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations; to Government Operations Committee.

BILL APPROVED BY THE PRESIDENT

49. SEEDS. S. 1939, to amend the Federal Seed Act so as to require that seed treated to control diseases should be labeled to show that it has been treated, prohibit false representation with respect to certified seed, permit the sale of vegetable seed mixtures which was previously prohibited, require record keeping with respect to vegetable seed, exempt certain shipments from the detailed labeling requirements, add sugar beets to the kinds of seed subject to the act, and clarify the intent of the present wording with respect to disclaimers or limited warranty statements. With respect to imported seed, requires labeling of vegetable seed as to variety, provides penalties for false labeling, and provides for exemption from the quality requirements of seed imported for experimental or plant breeding purposes and seed of American origin refused admission into a foreign country. Provides for charging importers of seed for the cost of supervision required in connection with importations. Approved August 1, 1958 (Public Law 85-581, 85th Congress).

-0-

COMMITTEE HEARINGS ANNOUNCEMENTS:

Aug. 5: Increase in public debt limit, H. Rules. Extension of Mexican farm labor Program, H. Rules. Mutual security appropriations, S. Appropriations (exec-to mark up). Encourage transfers of employees to international organizations, H. Civil Service.

o0o

AMENDING SECTION 7 OF THE ADMINISTRATIVE EXPENSES ACT OF 1946, AS AMENDED, TO PROVIDE FOR THE PAYMENT OF TRAVEL AND TRANSPORTATION COSTS OF PERSONS SELECTED FOR APPOINTMENT TO CERTAIN POSITIONS IN THE CONTINENTAL UNITED STATES AND ALASKA, AND FOR OTHER PURPOSES

AUGUST 4, 1958.—Ordered to be printed

Mr. McCLELLAN, from the Committee on Government Operations, submitted the following

REPORT

[To accompany H. R. 11133]

The Committee on Government Operations, to whom was referred the bill (H. R. 11133) to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation costs of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes, having considered the same, report favorably thereon, with amendments, and recommend that the bill, as amended, do pass.

The amendments are as follows:

Page 2, lines 1 and 2, after the word "persons" strike out "selected for appointment to", and insert in lieu thereof "appointed to positions in the natural and mathematical sciences, engineering, and architectural fields, and to related technical".

Page 2, line 4, after the word "shortage" insert "in those skills which are critical to the national security effort,".

Page 3, strike out subsection (c), lines 1 through 11.

Page 3, line 16, strike out the word "five" and insert the word "two".

Page 3, line 12, strike out "(d)" and insert "(c)".

Page 3, after line 17, add a new subsection (d) as follows:

(d) Nothing contained in this section shall impair or otherwise affect the authority of any department under existing law to pay travel and transportation expenses of persons designated in subsection (b) hereof.

PURPOSE

This bill would provide the necessary authority to the Federal Government to establish a program to authorize payment of travel

and moving expenses of prospective employees reporting to their first duty station for employment in positions determined to be in shortage categories on the same basis as payments to regular civilian employees upon transfer of official station or on original appointment to an overseas post of duty. This authority is deemed necessary to enable the various departments and agencies to employ personnel whose services are in short supply, and whose skills are critical to the national security effort, when the Civil Service Commission certifies that such positions are so classified. The objective is to enable the Government to attain a competitive status with private industry in the hiring of highly trained personnel.

COMMITTEE ACTION

During committee consideration of this bill, certain questions were raised relative to the manner in which provisions of the bill might be administered. Members of the committee expressed the opinion that certain safeguards should be provided in the pending legislation in order to prevent possible abuses. The committee therefore revised H. R. 11133 by adopting the amendments set forth above.

During the executive session of the committee, the suggestion was made that the Civil Service Commission determine what positions are now, and may continue to be, in short supply. In commenting on this point the Civil Service Commission takes the position that—

As drafted, the bill would apply to occupations in which the Civil Service Commission determines that a manpower shortage exists. This language gives us the flexibility to meet changing labor market conditions as they arise and we favor this language rather than identifying in the bill specific positions to which the legislation would apply.

Also commenting on this point, the Comptroller General of the United States stated:

We do not believe it would be advisable to attempt to specify the positions or classifications to be designated in the "shortage" category because of our understanding that the shortage occupations vary from time to time; also, a shortage in a particular category in one area may not be the same in another area.

The first amendment approved by the committee limits the categories to which this bill could be applied to nonclerical positions.

It was also the view of the committee that there should be a shorter time limitation under which the provisions of this bill would be effective. The bill, as approved by the House, provides that the legislation will expire at the end of 5 years. The committee, after consideration of this provision, amended the House bill to restrict its application to 2 years, thus insuring a review by the next Congress, as well as consideration of the possible need for extension of the authority to specified types of positions which might then be found to be in short supply and difficult to fill.

Members of the committee also expressed some concern that the enactment of the bill might open avenues for abuse of the authority provided, particularly as to payment to prospective employees who are requested to report to a Government installation for an interview regarding possible employment. The bill, therefore, was amended by

striking the original section (c) of the bill as approved by the House which would authorize payments to prospective employees who are requested to come to a Government agency for an interview.

The Chairman of the Civil Service Commission will be requested to submit to the Committees on Government Operations during the next Congress a report on the operations of the act as amended, with further recommendations for amendments that may be found to be necessary, in order that a complete review may be made with the objective of effecting appropriate changes that may be indicated at that time.

Officials of the TVA expressed concern that enactment of this legislation might disrupt a TVA practice of paying certain transportation costs and moving expenses of new employees which TVA has followed for many years. In accordance with a request submitted to Senator Lister Hill and forwarded by him to the committee, the TVA suggested that this amendment be added to the bill in order to comply with existing law under which the TVA has based its authority to pay moving and transportation costs under its basic legislation. The final committee amendment complies with this recommendation. The Civil Service Commission advised the committee that in its opinion, this bill will not affect TVA's authority in any way, but that there would be no objection to the amendment.

SPECIAL REPORT ON COMPARATIVE ALLOWANCES FOR MOVING AND
TRANSPORTATION COSTS OF GOVERNMENT EMPLOYEES

At the request of the Committee on Government Operations, the Civil Service Commission prepared a chart showing the allowable expenses for civilian employees, uniformed personnel, and Foreign Service personnel in connection with permanent change of station. Since this is the first such study made, and because it would not otherwise be part of any permanent record, this chart is included at the end of this report. (See p. 12.)

AGENCY COMMENTS

The following communications were received by the chairman of the committee from the Bureau of the Budget, the Civil Service Commission, the Comptroller General, and the Department of Defense setting forth their views on S. 3872, an identical companion bill to H. R. 11133; and from Senator Lister Hill, relative to the amendment approved by the committee:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 17, 1958.

HON. JOHN L. McCLELLAN,
Chairman, Committee on Government Operations,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of June 10, 1958, requesting the views of the Bureau of the Budget with respect to S. 3872, a bill to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

The proposal would authorize payment of travel and moving expenses of prospective employees reporting to their first duty station

for employment in positions determined to be in shortage categories, and would also authorize payment of travel and per diem expenses in connection with interviews of candidates for employment in such positions, all under regulations of the President.

The travel and transportation provisions of the new subsection (b) of section 7 will permit the persons selected to receive transportation and per diem for themselves, and transportation of their families and household goods. Such payments would be on the same basis as payments to regular civilian employees upon transfer of official station or on original appointment to an overseas post of duty. The provisions of subsection (c) will permit qualified persons to be paid transportation and per diem expenses when invited by an agency to visit it for purposes of interview for possible employment. In such instances, expenses would be allowable on the same basis as payments to regular employees for travel expenses for duty while away from official duty station.

The basic objective of the proposed bill is to place the Government in a more nearly competitive position in the recruitment of persons for employment in positions for which a manpower shortage exists, particularly scientific and engineering positions.

Your letter requests consideration of certain questions raised by the committee with respect to designation in statute of "shortage" category positions, to justification for travel expense payments to prospective employees for interview purposes, and to possible abuses under the bill. These matters are discussed in some detail in a report which the Chairman of the Civil Service Commission is submitting to your committee on the bill. As the draft bill was presented by the Civil Service Commission, pursuant to the recommendation of the President's Committee on Scientists and Engineers and following intensive developmental work by Commission staff, the Bureau defers to the views of the Chairman as to the questions raised.

The Bureau of the Budget recommends the bill to the favorable consideration of your committee.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., July 14, 1958.

Senator JOHN L. McCLELLAN,
*Chairman, Government Operations Committee,
United States Senate, Washington, D. C.*

DEAR SENATOR McCLELLAN: On June 3, 1958, the Senate Government Operations Committee considered S. 3872 in executive session. This bill would provide travel and moving expenses for new employees in certain shortage occupations from their homes to their first duty stations, as well as permit certain other travel expenses prior to employment.

During this executive session your committee asked Mr. Irving Kator of my staff, who was giving technical assistance to the committee at that time, to prepare a comparison of the travel and moving expenses now provided for civilian employees, for uniformed personnel, and for Foreign Service personnel. This comparison has been prepared in the form of tables, and under separate cover we are sending you 20 copies of these tables for information of the committee.

We have covered in the comparison tables the major allowable expenses provided for each category of employee. We have avoided giving the exceptions and minor expenses in order that a meaningful comparison could be made on the basis of the major provisions. We thought this approach would be more helpful to the committee than spelling out all exceptions and minor provisions.

If S. 3872 is enacted, newly hired civilian employees in certain shortage occupations could be allowed, in moving from their homes to their first duty stations, the same expenses as civilian employees now receive on being transferred from one station to another. The expenses civilian employees now receive on being transferred are shown in the comparison tables. As the tables also indicate, newly hired Foreign Service personnel now receive travel and moving expenses to their first duty station. Other civilian employees of the Government do not receive these expenses. The purpose of S. 3872 is to provide expenses of this kind for new civilian employees whose skills are in short supply and whose services are critically needed by the Federal Government to carry out important research, development, and other activities.

If there is any more information that we can provide in connection with allowable travel expenses or in any other way in connection with S. 3872, please call on us and we will be glad to do so. We believe that S. 3872 is important legislation for the Federal Government, and we hope that your committee will be able to act on it favorably.

Sincerely yours,

WARREN B. IRONS, *Executive Director.*

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., July 18, 1958.

Senator JOHN L. McCLELLAN,
*Chairman, Committee on Government Operations,
United States Senate, Washington, D. C.*

DEAR SENATOR McCLELLAN: This is in reply to your letter of June 10, 1958, requesting the views of the Civil Service Commission on S. 3872, a bill to provide travel and moving expenses to certain new employees of the Federal Government.

S. 3872 has the full support of the administration and of the Civil Service Commission. It was drafted by the Civil Service Commission in recognition of a serious recruitment problem and was submitted to the Congress as legislation vitally needed by Federal agencies in order to carry out properly many important functions of the Federal Government.

The purpose of this bill is to help in recruiting persons in shortage occupations. Shortages of trained manpower exist now and are expected to continue into the years ahead. At the same time, the demands of government laboratories, research centers, and other installations for trained personnel will increase. This bill will assist Federal agencies in recruiting a fair share of the skilled manpower they need to accomplish their important missions.

We hope the recent pay adjustment will help in solving some of our recruitment problems. Where it does, the authority to pay travel expenses as provided in S. 3872 will not apply. We believe, however, that many shortages will continue and that others will arise. It is in these instances that the authority provided by this bill will be of

great value in matching the competitive practices of other employers who are also seeking highly trained and skilled employees.

Your letter requests the Commission to consider several questions regarding provisions of the bill. Our views on these questions appear below in the order in which you raise them. The first question concerns the identification of occupations to which the bill would apply. As drafted, the bill would apply to occupations in which the Civil Service Commission determines that a manpower shortage exists. This language gives us the flexibility to meet changing labor market conditions as they arise and we favor this language rather than identifying in the bill specific positions to which the legislation would apply.

In making actual determinations of shortage occupations for purposes of S. 3872, we will follow the same general principles and procedures as we have been following under section 803 of the Classification Act. Under this section of the Classification Act, Congress has charged the Civil Service Commission with raising rates for hard-to-fill positions where this will assist in recruiting personnel. We have had considerable experience in determining shortage occupations under section 803 and we believe that we have administered this provision effectively and to the benefit of the Government. At the same time our approach has been a conservative one. Sound justification is required before rates will be raised. To date, rates have been raised for only about 67,000 positions, mostly scientists and engineers, out of the almost 1 million positions under the Classification Act. We have not raised rates under section 803 for clerks or stenographers although our authority extends to these positions.

Not all the shortages where we might apply this legislation are necessarily reflected in those positions for which we are now paying increased hiring rates. Other shortages may arise in individual agencies, in specific geographic areas, or even nationwide. The payment of travel and moving expenses in these situations might overcome these shortages or at least limit their severity and thus avoid the need for the more expensive procedure of having to pay higher rates under section 803. Therefore, we think it is important in the interest of economical administration for us to have authority to determine those shortage positions to which this legislation could be applied.

Your second question relates to payment of travel expenses for prospective employees. The payment of travel expenses for persons prior to employment is a common practice in private industry in shortage occupations. Private industry has found that to attract high-quality personnel it is often necessary to show them the plant and the facilities and the equipment they will be able to work with. The purpose of this provision in S. 3872 is not to interview people to determine their qualifications. Its purpose is to convince qualified persons by a visit to the Federal installations that their career should be with the Federal Government. The cost of this provision will be only a small part of the total cost under the bill but we believe the benefits will be significant. We estimate that \$150 will cover any travel expenses for persons traveling to Federal agencies prior to employment. Agencies will not be required to pay these expenses in all cases. They will do so only when they feel that this will help them to recruit qualified persons for hard-to-fill positions.

Your final question pertains to the prevention of abuses under the provision of the bill authorizing the payment of travel expenses for

prospective employees. We do not believe that this provision is subject to abuse. It is limited to occupations found to be in short supply by the Civil Service Commission and expenses may be paid only to persons who have first been found qualified to perform in these occupations. In addition, we believe responsible Federal administrators in our agencies will make certain that this provision of the bill is not abused. Further, agencies will be expected to issue instructions to insure that this provision of the bill is used solely for the purpose intended. We urge the committee to consider the value of this provision in recruiting high-quality personnel for the Government service.

The Commission believes that this legislation will materially assist Federal agencies in recruiting needed personnel. Many vital Federal programs are at stake. The quality of our research and development work as well as our standing in the race into space depend in large measure on the number and quality of trained people we can recruit for important Government positions. For these reasons we urge the committee to act favorably on S. 3872.

The Bureau of the Budget has informed us that it has no objection to the submittal of this report.

By direction of the Commission:

Sincerely yours,

HARRIS ELLSWORTH, *Chairman.*

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, June 23, 1958.

HON. JOHN L. McCLELLAN,
Chairman, Committee on Government Operations,
United States Senate.

DEAR MR. CHAIRMAN: Your letter of June 11, 1958, requests our views on S. 3872.

The apparent objective of the bill is to enable the Government to compete on a more equal footing with private industry for personnel in shortage categories. To achieve this objective the bill would provide for payment of the traveling expenses of persons selected for appointment to Government positions in the United States and Alaska and for payment of expense of transportation of their immediate families and household effects; also, the bill would authorize payment of the traveling expenses of qualified persons who are invited to visit a department or agency for purposes connected with employment.

A bill, H. R. 11133, identical to S. 3872, was the subject of hearings in the Committee on Government Operations, House of Representatives, and was favorably reported without any recommended amendments under date of May 22, 1958, Report No. 1764. We testified on H. R. 11133 concerning certain suggested language changes which would insure that payment of traveling expenses and transportation of household effects under the bill would be on the same basis as payment of similar expenses to other Government employees upon transfer of official station or travel to a first duty station outside the continental United States. We subsequently agreed that these language changes could be obviated by a clarifying explanation in the committee's report, such an explanation being inserted on page 3 of Report No. 1764. ||

In a letter dated February 25, 1957, to your committee on a similar bill, S. 1132, we also discussed the language changes referred to above. However, in view of the explanation now contained in the House report, those comments are no longer appropriate.

While we have no facts indicating the extent of the need throughout the Government departments and agencies for the proposed legislation, we are of the opinion that S. 3872, if enacted, would tend to facilitate the employment of needed personnel and to that extent would be in the interest of the Government.

You ask us to give consideration to the following question: (1) Should the bill specifically identify positions or classifications to be designated in the "shortage" category, (2) what justification can be made for payment to prospective employees who come to a Government installation, on request of an agency, for an interview regarding employment with the Government, and (3) what further precaution may be taken to prevent abuses under those provisions of the bill?

We do not believe it would be advisable to attempt to specify the positions or classifications to be designated in the "shortage" category because of our understanding that the shortage occupations vary from time to time; also, a shortage in a particular category in one area may not be the same in another area.

The payment of the traveling expenses of a prospective employee for the purpose of visiting a department or agency is stated by the Civil Service Commission to be necessary in order that the person may inspect the kind of equipment he will have to work with, who his coworkers will be, and the living conditions for himself and his family. The Commission indicates that the Government may gain from payment of such expenses because its equipment and physical plant are often superior to those in private industry, such matters being a powerful inducement for able scientists and engineers. The real justification for payment of such expenses of prospective employees would, therefore, appear to be whether it serves as an effective recruitment device in categories of manpower shortage where the agency's need is acute.

As to precautions which may be taken to prevent abuses under the provisions of the bill it may be that the committee would want to restrict the preemployment interview travel to persons in the continental United States since the present provisions of the bill are sufficiently broad to apply to persons residing overseas who may be invited to visit an agency. This could be accomplished by adding the words "in the continental United States" after the word "business" in line 4, page 3 of the bill. Of course, it is possible that the provision for payment of the travel expenses of a person selected for appointment and the transportation of his immediate family and household effects would be a sufficient recruiting incentive without the additional provision for payment of the traveling expense of a person invited to visit an installation.

In the hearings, before the Committee on Government Operations, House of Representatives, some concern was expressed as to a person obtaining preemployment interviews merely for the purpose of free travel to a particular location. This type of abuse would be difficult to control because it would be impossible in most cases to determine a person's intentions in accepting travel at Government expense. Possibly, some degree of control could be exercised by limiting the

number of preemployment interviews to a person, involving free travel, to a specified number each year and requiring that if the person accepted free travel in excess of such number he would be liable to refund the amounts expended by the Government for the excess trip or trips. Also, the committee might wish to establish a limitation for an agency based, perhaps, on a percentage of vacancies in shortage categories.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE,
Washington, D. C., July 22, 1958.

HON. JOHN L. MCCLELLAN,
*Chairman, Committee on Government Operations,
United States Senate.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Defense on S. 3872, 85th Congress, a bill to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

The purpose of S. 3872 is to provide authority for the use of appropriated funds to pay for the expense of travel of persons selected for appointment to positions in the continental United States and Alaska for which the Civil Service Commission determines there is a manpower shortage, including expense of transportation of their immediate families and their household goods and personal effects from places of actual residence at time of selection to their first duty station, with certain limitations. The bill would also authorize use of appropriated funds to pay travel expenses of persons found qualified to perform in positions for which the Commission determines there is a manpower shortage when such persons are invited to visit an agency or department for purposes connected with employment.

Section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended, 5 U. S. C. 73B-3) now makes appropriations available for travel and transportation of new appointees from their places of actual residence at the time of appointment to places of employment outside the continental United States, with other provision being made for payment of similar expenses under specified circumstances on return of employees from their posts of duty outside the continental United States.

The Department of Defense strongly favors the enactment of S. 3872 as legislation which will be of material help in recruiting persons in shortage occupations.

Lack of authority to pay travel and transportation expenses of new employees from their homes to first duty stations within the United States has been the cause of many costly recruitment failures. As reported by the Cordiner Committee, this practice is on the increase in private industry. Competition for the services of personnel for whom there exists a manpower shortage, particularly scientists and engineers, is especially keen. While Government cannot furnish all

the inducements which private industry can offer to prospective employees, its ability to pay initial travel expenses would remove an important deterrent to the acceptance of Government employment.

Similarly, provision for payment of travel expenses of a prospective employee to visit a Government agency, particularly its laboratories and other scientific and technical offices, would place the Government on a more equal footing with private industry in competition for personnel in short supply whose skills are essential to the national security effort.

You have also requested the views of the Department of Defense on three questions with reference to the provisions of S. 3872. The Department's views on these questions are presented below, in the order in which the questions were raised.

The first question concerns identification in the bill itself of the occupations to which it would apply. The Department of Defense does not consider this to be practicable. Flexibility to meet changing labor market conditions as they arise is absolutely essential. Occupations which are in shortage category at this time may not be 6 months or a year from now, and vice versa. It is more appropriate to leave the determination to the Civil Service Commission, as it provided in the bill. The Commission has had experience in this area, in its administration of the provisions of section 803 of the Classification Act.

Your second question relates to justification for payment of travel expenses to prospective employees who, on request of a Government agency, visit a Government installation for a purpose connected with employment. Payment of such expenses has become a common practice in industry for shortage occupations. The Department of Defense would gain importantly if able to pay travel expenses in these circumstances. Its laboratories, equipment, and physical plant often surpass the best in private industry, and these things can be a powerful inducement for able scientists and engineers. But this advantage is lost unless the Department is able to bring qualified persons in to see them and, in appropriate cases, to pay their travel expenses.

In your third question you ask about further precautions which may be taken by appropriate amendments to prevent abuses under the provisions of the bill. The Department of Defense believes that the bill contains adequate safeguards to prevent abuses, and has no amendments to suggest. Authority to pay travel and moving expenses would be limited to occupations found by the Civil Service Commission to be in short supply. Such expenses would be paid only to persons found qualified to perform in these occupations. In addition to such safeguards as may be established by the Commission, this Department would issue instructions to insure that the provisions of the bill were used solely for the purpose intended.

S. 3872, if enacted, would greatly assist in the effective implementation of this Department's research and development programs and other activities essential to the national security. Favorable action on the bill by your committee is strongly urged.

No provision has been made in the budget estimates submitted by the Department of Defense for fiscal year 1959 for the expenditures which would be required if this proposal were enacted. The annual cost of the legislation to the Department cannot be determined until

such time as the standards are established by the Civil Service Commission.

The Bureau of the Budget has advised that there is no objection to the submission of this report to the Congress.

Sincerely yours,

ROBERT DECHERT.

UNITED STATES SENATE,
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D. C., June 25, 1958.

HON. HUBERT H. HUMPHREY,
*United States Senate,
Washington, D. C.*

MY DEAR HUBERT: There is before the Senate Committee on Government Operations of which you are a member a bill to amend section 7 of the Administrative Expenses Act of 1946. The proposed legislation to which I refer is S. 3872.

As I am sure you know, S. 3872 would authorize payment of travel and moving expenses of new employees and applicants for positions with respect to which the Civil Service Commission determines a manpower shortage to exist. I understand that passage of this bill is not required to permit the Tennessee Valley Authority to pay such travel and moving expenses but that the legislation could have an adverse effect on TVA's present status in this regard. To safeguard against this and to clarify the situation, the following amendment as subsection (e) to S. 3872 has been suggested:

"(e) Nothing contained in this section shall impair or otherwise affect the authority of any department under existing law to pay travel and transportation expenses of persons designated in subsections (b) and (c) hereof."

I shall appreciate your consideration of this proposal and any comments or further suggestions you may have regarding the matter.

With kindest regards, I am

Very sincerely,

LISTER HILL.

Allowable expenses for civilian employees, uniformed personnel, and Foreign Service personnel in connection with permanent change of station

I. HOUSEHOLD GOODS

	Civilian employees	Uniformed services	Foreign Service ¹
1. Items included.....	All normal household goods and personal effects. (Does not include automobile.)	All normal household goods and personal effects. (Does not include automobile, except where transfer is overseas and where individual service regulations may permit such shipment.)	All normal household goods and personal effects, including 1 automobile.
2. Weight limitation.....	Regardless of grade: 7,000 pounds maximum net weight. 8,750 pounds maximum gross weight.	Depends on rank: 4,500 pounds (E-4 with over 4 years of service) to— 24,000 pounds maximum for top officers (by Appropriation Act of 1958, maximum weight limitation effective this year is 11,000 pounds). All weight limitations are net figures, excluding the weight of crates and shipping cartons.	Depends on salary group and marital status: 4,000 pounds (employee in lowest salary group, without family) to— 18,000 pounds maximum (employee in highest salary group, with family).
3. Packing and unpacking.....	Employee reimbursed for moving expenses on basis of commutation tables, except for overseas travel where reimbursement is on actual expense basis. Provided at Government expense at beginning and end of move.	Moving handled or paid for directly by military services or, when justified, may be reimbursed on actual expense basis. Provided at Government expense at beginning and end of trip.	All weights are gross, including containers. (Automobile is in addition to these weights.) Where furnished quarters are available, limitation is 1,000 pounds to 4,500 pounds, depending on salary and marital status. Moving paid for on actual expense basis.
4. Storage.....	60 days' temporary storage.....	90 days temporary storage for household goods; may be extended for another 90 days for valid reasons shown.	Provided at Government expense at beginning and end of trip. 3 months' storage where furnished quarters are not available (maximum). Where furnished quarters are available, storage until change of station. (Storage does not include automobile.)

II. PERSONAL TRAVEL OF EMPLOYEE

1. Transportation.....	Lowest available 1st-class accommodations provided by the Government. Within continental United States, \$12 per day maximum. In travel outside United States: On plane, train, or ship, \$6 per day. When on shipboard, per diem drops to \$2 per day after first 9 days. Where meals and lodging furnished by United States, appropriate deduction from per diem.	Lowest available 1st-class accommodations provided by the Government. Within continental United States, \$12 per day maximum. In travel outside United States: On plane, train, or ship, \$6 per day. When on shipboard, per diem drops to \$2 per day after first 9 days. Where meals and/or lodging furnished by United States, deduction up to 15-35 percent.
3. Mileage allowance.....	If travel is by privately owned automobile, 10 cents per mile (not to exceed cost of common carrier except when to advantage of Government). Per diem also paid when travel by own automobile.	If travel is by privately owned automobile, 10 cents per mile (not to exceed cost of common carrier except when to advantage of Government). Per diem also paid when travel by own automobile.

III. DEPENDENT'S TRAVEL

1. Transportation.....	Lowest first-class accommodations provided by the Government. None.	Lowest first-class accommodation provided by the Government. (a) Within continental United States: 11 years and over, \$12 per day maximum. Under 11 years, \$6 per day maximum. (b) For travel outside United States on plane, train, or ship: 11 years and over, \$6 per day maximum. Under 11 years, \$3 per day maximum. When on shipboard, after first 9 days, per diem drops to: 11 years and over, \$2 per day. Under 11 years, \$1 per day. Where meals and/or lodging furnished by United States, deduction up to 15 to 35 percent made from per diem. When dependents travel by privately owned conveyance, not accompanied by employee, 10 cents per mile maximum (not to exceed cost of common carrier).
2. Per diem.....	None.	When on shipboard, after first 9 days, per diem drops to: 11 years and over, \$2 per day. Under 11 years, \$1 per day. Where meals and/or lodging furnished by United States, deduction up to 15 to 35 percent made from per diem. When dependents travel by privately owned conveyance, not accompanied by employee, 10 cents per mile maximum (not to exceed cost of common carrier).
3. Mileage allowances.....	When dependents travel by privately owned conveyance, not accompanied by employee, 10 cents per mile maximum (not to exceed cost of common carrier).	When dependents travel by privately owned conveyance, not accompanied by employee, 10 cents per mile maximum (not to exceed cost of common carrier).

Allowable expenses for civilian employees, uniformed personnel, and Foreign Service personnel in connection with permanent change of station—Continued

IV. OTHER ALLOWANCES

	Civilian employees	Uniformed services	Foreign Service ¹
1. Dislocation allowance-----	None.	Military dislocation allowance: 1-time allowance, of 1 month's extra basic quarters payment, for personnel entitled to transportation of dependents. Amount depends upon rank; ranges from \$67.50 for enlisted men to \$171 for officers.	Temporary lodging allotment: Only until quarters are available and employee's quarters allowance starts. For not more than 3 months, for employee and family: Aged 11 years and over, \$1 to \$10 per day. Under 11 years, ½ that rate. Transfer allowance: From 1 climatic zone to another, \$75-\$175. None.
2. Trailer allowance (privately owned trailer).	In lieu of shipment of household goods in United States or Alaska or between United States and Alaska, not in excess of 20 cents per mile (provided by law). Regulations now being drawn will probably provide for 11 cents per mile when trailer moved by employee; 20 cents per mile if trailer commercially hauled. (In addition, employee is entitled to per diem, plus mileage allowance for his own automobile.)	In lieu of shipment of household goods and dislocation allowance 11 cents per mile when trailer personally moved. 20 cents per mile if commercially hauled. (Mileage allowance for member of uniformed service and dependents travel also provided as shown on previous pages. Maximum amount for trailer and other mileage allowances, 35 cents per mile.)	

¹ All allowable expenses shown on this and the following pages for the Foreign Service are provided also for newly hired Foreign Service personnel to move from their homes to their first duty station (usually Washington, D. C.).

Prepared at request of Committee on Government Operations, U. S. Senate, July 1958, by U. S. Civil Service Commission, Bureau of Programs and Standards, Program Planning Division, based upon Standardized Government Travel Regulations, Joint Travel Regulations for Uniformed Personnel, Foreign Service Travel Regulations.

Calendar No. 2234

85TH CONGRESS
2D SESSION

H. R. 11133

[Report No. 2185]

IN THE SENATE OF THE UNITED STATES

JUNE 27 (legislative day, JUNE 24), 1958

Read twice and referred to the Committee on Government Operations

AUGUST 4, 1958

Reported by Mr. McCLELLAN, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 7 of the Administrative Expenses Act of 1946
4 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further
5 amended by inserting “(a)” after the section number and
6 by adding at the end thereof new subsections as follows:

7 “(b) Appropriations for the departments shall be avail-
8 able, in accordance with regulations prescribed by the Presi-
9 dent, for expenses of travel of persons ~~selected for appoint-~~

1 ~~ment to~~ appointed to positions in the natural and mathe-
2 matical sciences, engineering, and architectural fields, and to
3 related technical positions in the continental United States
4 and Alaska for which there is determined by the Civil Serv-
5 ice Commission to be a manpower shortage in those skills
6 which are critical to the national security effort, and for
7 expenses of transportation of their immediate families and
8 their household goods and personal effects and for advances
9 of funds to the extent authorized by section 1 (a) and (b)
10 of this Act, from their places of actual residence at time of
11 selection to their first duty station. Such travel expenses
12 may include per diem and mileage allowance for persons
13 selected for appointment as provided for civilian officers
14 and employees by the Travel Expense Act of 1949, as
15 amended. Travel and transportation expenses may be al-
16 lowed whether the person selected for appointment has been
17 appointed or not at the time of such travel. However, the
18 travel and transportation expenses authorized by this sub-
19 section shall not be allowed unless the person selected for
20 appointment shall agree in writing to remain in the Govern-
21 ment service for twelve months following his appointment
22 unless separated for reasons beyond his control and accept-
23 able to the department or agency concerned. In case of vio-
24 lation of such agreement, any moneys expended by the
25 United States on account of such travel and transportation

1 shall be recoverable from the individual concerned as a debt
2 due the United States.

3 ~~“(e)~~ Appropriations for the departments shall be avail-
4 able in accordance with regulations prescribed by the Presi-
5 dent for expenses of travel while away from their homes or
6 regular places of business of persons who are found qualified
7 to perform in positions for which there is determined by the
8 Civil Service Commission to be a manpower shortage and
9 who are invited by an agency or department to visit it for
10 purposes connected with employment. Such travel expenses
11 may include per diem in lieu of subsistence and mileage
12 allowance as provided for civilian officers and employees by
13 the Travel Expense Act of 1949, as amended.

14 ~~“(d)~~ (c) The authority of the Civil Service Commission
15 to determine for purposes of this Act positions for which
16 there is a manpower shortage shall not be delegated. The
17 provisions of subsections (b) and (c) of section 7 of this
18 Act shall expire ~~five~~ two years from the date of their enact-
19 ment into law.” law.

20 “(d) Nothing contained in this section shall impair or
21 otherwise affect the authority of any department under exist-
22 ing law to pay travel and transportation expenses of persons
23 designated in subsections (b) and (c) hereof.”

AN ACT

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

JUNE 27 (legislative day, JUNE 24), 1958

Read twice and referred to the Committee on Government Operations

AUGUST 4, 1958

Reported with amendments

Aug 11, 1958

14. PURCHASING. At the request of Sen. Talmadge, passed over S. 3224, to assist small business firms to obtain a fair share of Government purchases and contracts and to expedite Government procurement. p. 15417
15. FOREIGN AID. At the request of Sens. Clark and Barrett, passed over H. R. 13192, the mutual security appropriation bill for 1959. p. 15418
Sen. Humphrey urged the importance of foreign aid in U. S. competition with Russia, and pointed to the growth of the Russian economy and their expanding foreign aid program as attracting the attention of under-developed countries toward Communism. Sen. Javits concurred in urging that the full authorized amount (\$825 million) be appropriated for the Development Loan Fund. pp. 15456-9
16. FEDERAL-STATE RELATIONS. At the request of Sen. Barrett, passed over S. 337, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. p. 15421
17. FARM LABOR. Passed without amendment S. 4232, to extend the Mexican Farm Labor Program for one year, to June 30, 1960. p. 15414
18. HALL OF FAME. Agreed to without amendment H. Con. Res. 295, expressing the intent of Congress in favor of the establishment of a Hall of Fame for Agriculture. pp. 15414-15
19. IMPORTS. At the request of Sen. Barrett, passed over S. 2142, to amend the Agricultural Marketing Agreement Act so as to extend restrictions on the importation of certain citrus fruits and figs. p. 15415
20. FORESTRY. Passed as reported S. 4053, to extend the boundaries of the Siskiyou National Forest, Ore., and to define the rights with respect to mining locations and patents on lands to which the boundaries are extended. p. 15413
Passed without amendment H. R. 6542, to authorize the conveyance of certain Forest Service lands to Dayton, Wyo. Sen. Morse inserted a memorandum referring to a previous bill as a precedent for such conveyance. This bill will now be sent to the President. p. 15416
21. LANDS. Passed as reported H. R. 4635, to provide for the settlement and entry of public lands in Alaska containing coal, oil, or gas under Sec. 10 of the act of May 14, 1898. p. 15410
Passed without amendment H. R. 11800, to authorize the Secretary to sell certain ARS lands and buildings to Clifton, N. J. Sen. Morse inserted a memorandum stating that "the bill does not violate the Morse formula." This bill will now be sent to the President. p. 15416
22. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 1168, to restore the pay of officers or employees to the grade level held before downgrading in certain cases (S. Rept. 2314). p. 15391
Passed as reported H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. p. 15414
23. ECONOMIC SITUATION. Sen. Bush inserted two articles discussing the current economic situation. pp. 15401-02

ITEMS IN APPENDIX

24. PUBLIC DEBT. Rep. Budge inserted an article, "Why the National Debt is Giving Treasury Secretary Lots of Worry." pp. A7175-6
Rep. Pelly inserted an article, "More Shrinkage in Your Dollar," and stated that it "explains in simple terms and at least in part why 108 House Members including myself voted against raising the debt limit." pp. A7192-3
25. FORESTS. Extension of remarks of Rep. Porter stating that "Federal timber sales policies and programs are of vital concern to forest products industries, and inserting an Ill. Valley Chamber of Commerce petition which "complains that the Forest Service has not put up timber on the schedule promised." pp. A7190-1
26. INFORMATION. Rep. Davis, Ga., inserted a resolution urging the Congress to enact legislation to designate the rose as our national flower. pp. A7193-4

BILLS INTRODUCED

27. COTTON. H. J. Res. 679, by Rep. Ashmore, providing minimum national acreage allotments for upland cotton for 1959; to Agriculture Committee.

PRINTED HEARINGS RECEIVED BY THIS OFFICE

28. APPROPRIATIONS. H. R. 13192, mutual security appropriations for 1959. S. Appropriations Committee.
29. FOREIGN AID. Part 1, foreign aid construction projects; part 2, field survey of construction projects and other foreign aid operations. H. Government Operations Committee.
30. CONTRACTS. Proposed extension of the Renegotiation Act of 1951 for 2 years. H. Ways and Means Committee.
31. ANIMAL DISEASES. H. R. 12126, prohibition against wild-animal imports from infected areas. S. Agriculture and Forestry Committee.
32. RESEARCH. Development of the saline water conversion program. H. Government Operations Committee.
33. CIVIL DEFENSE; DEFENSE MOBILIZATION. Providing new arrangements for the conduct of Federal defense mobilization and civil defense functions. H. Government Operations Committee.
34. ECONOMIC REPORT. S. Res. 321, on advisability of issuing by Aug. 1, 1958, a report as of June 30, 1958, supplementing the President's annual economic report. S. Banking and Currency Committee.
35. WATER POLLUTION. H. R. 11714, to amend the Federal Water Pollution Control Act to increase limitations on grants for construction. H. Public Works Committee.
36. PUBLIC DEBT. H. R. 13580 and 13581, to increase the public-debt limit. H. Ways and Means Committee.
37. DEFENSE PRODUCTION. S. 4162, to amend Defense Production Act re CCC financing, etc. S. Banking and Currency Committee.

EXTENSION OF BOUNDARIES OF SISKIYOU NATIONAL FOREST, OREG.

The Senate proceeded to consider the bill (S. 4053) to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 2, after the word "thereto", to insert a colon and "Provided, That the Secretaries of the Interior and Agriculture are authorized to exchange administrative jurisdiction of lots 4 and 11, section 19, township 34 south, range 11 west, Willamette meridian, which are revested Oregon & California Railroad grant lands, and national forest lands in the State of Oregon of approximately equal aggregate value under the provisions of section 2 of the act of June 24, 1954 (68 Stat. 271), and said lots 4 and 11 upon completion of such exchange of jurisdiction, but not before, shall be subject to all provisions of this act", so as to make the bill read:

Be it enacted, etc., That the boundaries of the Siskiyou National Forest in the State of Oregon are hereby extended to include sections 31 through 36, township 35 south, range 13 west, Willamette meridian, and to include all lands not presently included within the boundaries thereof in township 35 south, ranges 11 and 12 west and township 34 south, range 11 west Willamette meridian. Subject to valid and existing claims, all lands of the United States within the area to which such boundaries are extended are hereby made parts of the Siskiyou National Forest and hereafter shall be subject to the laws, rules, and regulations relating thereto: *Provided, That* the Secretaries of the Interior and Agriculture are authorized to exchange administrative jurisdiction of lots 4 and 11, section 19, township 34 south, range 11 west, Willamette meridian, which are revested Oregon and California Railroad grant lands, and national forest lands in the State of Oregon of approximately equal aggregate value under the provisions of section 2 of the act of June 24, 1954 (68 Stat. 271), and said lots 4 and 11 upon completion of such exchange of jurisdiction, but not before, shall be subject to all provisions of this act.

Sec. 2. Mining locations hereafter made under the mining laws of the United States upon the lands to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act shall confer on the locator the right to occupy and use only so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting, mining, and beneficiation of ores, including the taking of mineral deposits and timber required by or in the mining and ore reducing operations, and no permit shall be required or charge made for such use or occupancy: *Provided, That* the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national forest regulations, or permits issued there-

under, if such occupancy or use is not in conflict with mineral development.

Sec. 3. All patents issued under the United States mining laws affecting lands to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if the timber is cut and removed in accordance with the rules and regulations for timber cutting on adjoining national forest land, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the national forest rules and regulations.

Sec. 4. Valid mining claims within the area to which the boundaries of the Siskiyou National Forest are extended by section 1 of this act existing on the date of this act and hereafter maintained may be perfected under the laws under which they were initiated.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I ask unanimous consent that I may have printed in the Record, in connection with the appropriate measures, certain memorandums which I have prepared in connection with several calendar measures. The memorandums deal with the Morse formula in relation to those measures.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Without objection, it is so ordered.

(The memorandums, subsequently submitted by Mr. MORSE, appear in the Record following the bills to which they relate.)

COVERAGE UNDER THE CIVIL SERVICE RETIREMENT ACT TO CERTAIN TEMPORARY RURAL CARRIERS

The bill (S. 3564) to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Civil Service Retirement Act, as in effect prior to, on, or after the date of enactment of this act, if retirement deductions were made from the basic salary of a temporary rural carrier in the field service of the Post Office Department at any time within the period from October 23, 1943, to March 5, 1946, both dates inclusive, such person shall be held and considered to have received an indefinite war service appointment as of the first date on which any such deduction was made.

RATE OF COMPENSATION OF MEMBERS OF THE BOARD OF PAROLE

The Senate proceeded to consider the bill (S. 4096) to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Parole Board, which had

been reported from the Committee on Post Office and Civil Service, with amendments, in line 3, after the word "title", to strike out "17" and insert "18"; and in line 7, after the word "be", to strike out "\$19,000" and insert "\$17,500", so as to make the bill read:

Be it enacted, etc., That section 4201 of title 18, United States Code, is amended by deleting the second sentence thereof and substituting in lieu thereof the following sentence: The annual rate of basic compensation of each member of the Board shall be \$17,500.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN H. PARKER

The bill (H. R. 2747) for the relief of John H. Parker was considered, ordered to a third reading, read the third time, and passed.

STUDY OF CRITICAL AND STRATEGIC RAW MATERIALS

The resolution (S. Res. 225) amending S. Res. 78, 85th Congress, authorizing a study of critical and strategic raw materials and resources of the Eastern Hemisphere was considered and agreed to, as follows:

Resolved, That Senate Resolution 78, 85th Congress, agreed to May 20, 1957 (authorizing and directing a study of critical and strategic raw materials and resources of the Eastern Hemisphere), is amended by striking out "January 31, 1958" and inserting in lieu thereof "January 31, 1959."

AMENDMENT OF ORGANIC ACT OF GUAM

The bill (H. R. 12569) to amend section 31 of the Organic Act of Guam, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF POST OFFICE ON HAWAIIAN HOME LANDS

The Senate proceeded to consider the bill (H. R. 8478) to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian homelands, which had been reported from the Committee on Interior and Insular Affairs, with amendments, in line 6, after the word "schools", to strike out "and", and, at the beginning of line 7, to strike out "offices;" and insert "offices, and other improvements for public purposes;".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act amending the Hawaiian Homes Commission Act to permit the establishment of a post office on Hawaiian homelands, and for other purposes."

AMENDMENT OF SECTION 73 (1) OF THE HAWAIIAN ORGANIC ACT, AS AMENDED

The bill (H. R. 9502) to amend section 73 (1) of the Hawaiian Organic Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 627) for the relief of certain aliens was considered, ordered to a third reading, read the third time, and passed.

JOINT RESOLUTION PLACED AT FOOT OF CALENDAR

The joint resolution (H. J. Res. 635) for the relief of certain aliens was announced as next in order.

Mr. BARRETT. I ask unanimous consent that the joint resolution be placed at the foot of the calendar.

The PRESIDING OFFICER (Mr. FREAR in the chair). Without objection, the joint resolution will be placed at the foot of the calendar.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The joint resolution (H. J. Res. 660) to facilitate the admission into the United States of certain aliens was considered, ordered to a third reading, read the third time, and passed.

WOLFGANG STRESEMANN

The bill (H. R. 12903) for the relief of Wolfgang Stresemann was considered, ordered to a third reading, read the third time, and passed.

KUNIGUNDE BELDIE

The bill (H. R. 12944) for the relief of Kunigunde Beldie was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 11668) to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended, was announced as next in order.

Mr. TALMADGE. I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF TRAVEL AND TRANSPORTATION COSTS OF CERTAIN PERSONS

The Senate proceeded to consider the bill (H. R. 11133) to amend section 7 of the Administrative Expenses Act of 1946, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes, which had been reported from the Committee on Government Operations, with amend-

ments, on page 1, line 9, after the word "persons", to strike out "selected for appointment to" and insert "appointed to positions in the natural and mathematical sciences, engineering, and architectural fields, and to related technical"; on page 2, line 5, after the word "shortage", to insert "in those skills which are critical to the national security effort"; on page 3, after line 2, to strike out:

"(c) Appropriations for the departments shall be available in accordance with regulations prescribed by the President for expenses of travel while away from their homes or regular places of business of persons who are found qualified to perform in positions for which there is determined by the Civil Service Commission to be a manpower shortage and who are invited by an agency or department to visit it for purposes connected with employment. Such travel expenses may include per diem in lieu of subsistence and mileage allowance as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended.

At the beginning of line 14, to strike out "(d)" and insert "(c)"; in line 18, after the word "expire", to strike out "five" and insert "two"; in line 19, after the word "into", to strike out "law." and insert "law."; and, after line 19, to insert:

"(d) Nothing contained in this section shall impair or otherwise affect the authority of any department under existing law to pay travel and transportation expenses of persons designated in subsections (b) and (c) hereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 12126) to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes, was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11477) to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

RETIRED PAY FOR CERTAIN PERSONS WHO PERFORMED DUTY DURING KOREAN CONFLICT

The bill (H. R. 781) to amend title 10, United States Code, to make required pay for nonregular service available to certain persons who performed active duty during the Korean conflict was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF BRIDGE ACROSS MISSISSIPPI RIVER AT FULTON, ILL.

The bill (H. R. 4142) to amend the act creating the city of Clinton Bridge

Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill., in order to make certain changes in the authority of such commission, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the corresponding Senate bill, which is Calendar No. 2010, Senate bill 1081, to amend the act creating the city of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill., in order to make certain changes in the authority of such commission, and for other purposes, will be indefinitely postponed.

AMENDMENT OF TITLE V, AGRICULTURAL ACT OF 1949

The bill (S. 4232) to amend title V of the Agricultural Act of 1949, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 509 of the Agricultural Act of 1949, as amended, is amended by striking out "June 30, 1959" and inserting "June 30, 1960."

ESTABLISHMENT OF HALL OF FAME FOR AGRICULTURE

The concurrent resolution (H. Con. Res. 295) favoring the establishment of a Hall of Fame for Agriculture was considered and agreed to.

The preamble was agreed to.

Mr. CARLSON subsequently said: Mr. President, earlier today the Senate passed House Concurrent Resolution 295, Calendar No. 2240. I ask unanimous consent that a statement I have prepared on the resolution be printed in the RECORD following the action on the concurrent resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CARLSON

House Concurrent Resolution 295 states that it is the sense of Congress that there be established and maintained, as a memorial to the important role played by agriculture in the development of our Nation, a Hall of Fame for Agriculture.

This resolution provides that Congress does hereby commend, encourage, and sanction the efforts of any organization which undertakes to establish such a hall of fame.

On March 10 of this year, I introduced Senate Concurrent Resolution 70, which is similar to the House resolution, which is now being considered by the Senate.

I urge the approval of this resolution, as I believe it is timely that there be collected and preserved for posterity relics and other data relating to agriculture and the great contribution it has made to our growth and development as a Nation.

It seems to me it is most fitting that these mementos of every type should be placed permanently in a building known as the Hall of Fame for Agriculture.

Great progress has already been made in making plans for the fruition of this proj-

HOUSE

1. FARM PROGRAM. Passed a substitute version of S. 4071, the proposed "Agricultural Act of 1958." pp. 16059-72 (At the end of this Digest is Chairman Cooley's explanation of the changes in the bill.)
Rep. Polk inserted the so-called "Simmermon Farm Plan." pp. 16103-7
2. BUDGETING. Agreed to the Senate amendments to H. R. 80C2, to provide for accrued-expenditure budgeting. This bill will now be sent to the President. pp. 16077-84
3. FARM LABOR. Passed as reported H. R. 10360, to continue the Mexican farm labor program for 2 years until June 30, 1961. Rejected an amendment by Rep. Christopher to continue the program for only 1 year and to make it unavailable to any employer who does not comply with applicable crop-reduction and allotment programs. pp. 16085-94
4. FORESTRY. Agreed to the conference report on S. 3051, to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold. p. 16076
The Agriculture Committee ordered reported S. 3741, to provide regular national forest status to most lands under the jurisdiction of the Forest Service. p. D853
5. DISASTER RELIEF. The Agriculture Committee ordered reported S. 304 (amended), to require contributions by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas. p. D853
6. CROP INSURANCE. The Agriculture Committee ordered reported H. R. 13262 (amended), to eliminate the prohibition against crop insurance being made available to certain counties which do not have wide participation in the program. p. D853
7. RESEARCH. The Interstate and Foreign Commerce Committee ordered reported H. R. 11257 (amended), to make various amendments regarding administration of the National Science Foundation. p. D854
House conferees were appointed on S. J. Res. 135, providing for construction by the Interior Department of demonstration plants for conversion of salt water to fresh water. p. 16084
8. TRAVEL; TRANSPORTATION. Concurred in the Senate amendments to H. R. 11133, which authorizes payment of travel and moving expenses of prospective non-clerical employees reporting to their first-duty station for employment in positions determined to be in shortage categories on the same basis as payments to regular civilian employees upon transfer of official station or on original appointment to an overseas post of duty, with a provision that the new authority shall be effective for only 2 years. The Senate had eliminated a provision for such benefits in the case of prospective employees who are called in for interviews. In this connection the Senate committee stated that the Civil Service Commission would be requested to submit to the Government Operations Committees, during the next Congress, a report on the operations of this bill, with further recommendations for amendment if desirable. The bill will now be sent to the President. pp. 16076-7
9. TAXES. Agreed to the conference report on H. R. 7125, and received the conference report on H. R. 8381, to make technical tax-law changes. pp. 16072-6, 16110-22
10. LEGISLATIVE PROGRAM. Rep. McCormack said the area development bill will be considered today, Aug. 15. pp. 16102-3

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 15, 1958
For actions of August 14, 1958
85th-2d, No. 140

CONTENTS

Administrative orders...	12	Fisheries.....	42	School aid.....	41
Appropriations.....	11,25	Forestry.....	4,20,30	Scientific activities...	11
Area development.....	10	Health.....	35,37	Social security.....	18
Budgeting.....	2	Humane slaughter.....	16	Sugar.....	15
Credit controls.....	39	Information.....	11,38,44	Surplus food.....	28
Crop insurance.....	6	Legislative program..	10,26	Taxes.....	9
Dairy products.....	35	Military construction...	25	Transportation.....	8,40,43
Disaster relief.....	5	Nominations.....	23	Travel.....	8
Electrification.....	19,32	Personnel.....	21	Virgin Islands.....	15
Expenditures.....	21	Purchasing.....	14	Water pollution.....	34
Farm housing.....	11	Reciprocal trade.....	31	Water resources.....	24
Farm labor.....	3,13,29	Reclamation.....	22	Watersheds.....	42
Farm program.....	1,27	Research.....	7,11,17,37	Withholding information.	44
Fees.....	36	Saline water.....	7,15,33	Wildlife.....	42

HIGHLIGHTS: House ^{passed}/modified farm bill. House concurred in Senate amendments to accrued-expenditures budgeting bill. House committee ordered reported bill to require State contributions to disaster relief. Senate debated supplemental appropriation bill. Both Houses agreed to conference report on Klamath Indian forest bill. Both Houses passed bills to extend Mexican farm labor program. President issued statement (Aug. 12) interpreting new law on withholding information.

In May 1957 the Federal District Court in Baltimore held that these nonprofit community swimming-pool groups were not within the scope of section 4241 of the Internal Revenue Code of 1954 and that dues and fees paid to such organizations were exempt from the 20-percent tax. This decision was subsequently reversed by the Fourth Circuit Court of Appeals on March 27, 1958. The January 1, 1958, date does not, however, afford the same equity to groups organized during 1957 on the basis of the lower court decision, or to groups organized prior to that date through the pioneering initiative of local citizens.

This tax-exemption provision of H. R. 7125 was the outgrowth of my bill, H. R. 10113—84th Congress—introduced on March 21, 1956. Identical bills were also introduced by the gentleman from Maryland [Mr. LANKFORD] and the gentleman from Virginia [Mr. BROYHILL]. It was subsequently amended and included as section 132 (b) of H. R. 7125, passed by the House on June 20, 1957.

These nonprofit community swimming pools serve a worthwhile purpose in providing wholesome recreational facilities for our children, young people and adults. They are privately organized and financed at no cost to the taxpayers of the community. They play an important role in curbing juvenile delinquency by furnishing healthful recreational outlets in the neighborhood in which the entire family may participate.

Mr. Speaker, it has been my contention that Congress never intended for the excise tax on club dues provided for in section 4241 to apply to these groups. They are unique organizations outside the definition of "social, athletic, or sporting club or organization." Nonprofit community swimming pool groups have been a very recent innovation and have grown rapidly in popularity. The language of this section of the Internal Revenue Code is virtually the same as when first enacted in 1917, some 35 years before these groups came into existence.

As the sponsor of this legislation to give statutory exemption to these nonprofit swimming pool organizations, I want the legislative history of this section of H. R. 7125 to make it clear that the inclusion of the January 1, 1958, effective date should not be interpreted as an admission on the part of Congress of the validity of any pending claims for back taxes by the Internal Revenue Service, based on their interpretation of this section of the code.

Mr. Speaker, under unanimous consent I include the text of my statement on this subject, presented to the Senate Finance Committee on July 16, 1958, at this point in the RECORD:

STATEMENT OF REPRESENTATIVE GEORGE M. RHODES, OF PENNSYLVANIA, TO THE SENATE FINANCE COMMITTEE IN SUPPORT OF SECTION 132 (b) OF H. R. 7125, JULY 16, 1958

Mr. Chairman, distinguished members of the committee, I appreciate this opportunity to explain in detail one important provision of H. R. 7125 with which I am particularly concerned.

I refer to section 132 (b) entitled "Nonprofit Swimming Facilities" which appears

on pages 38-39 of the bill. The purpose of this section is to exempt under certain specified conditions from the 20-percent excise tax dues and fees paid to any nonprofit swimming pool organization now imposed under section 4241 of the Internal Revenue Code of 1954.

These so-called nonprofit neighborhood or community swimming pool groups are a rather recent innovation and have become increasingly popular in many sections of the country, particularly in suburban areas. They are not to be confused with community-owned and operated swimming pools, which are built at the expense of local taxpayers and maintained through admissions and concessions.

In my own district there are now a dozen nonprofit, cooperatively owned swimming pools serving some 6,000 families. They are also extremely popular in the suburban Washington areas of Maryland and Virginia and in other metropolitan suburbs throughout the country.

They fill a distinct community need in these suburban areas, where local recreational facilities are usually inadequate. Community tax-financed swimming pools very often receive little or no consideration because of primary budgetary emphasis on new schools, streets, sewers, and other necessities required in these mushrooming suburban developments.

There would be virtually no recreational facilities in many areas were it not for the initiative of private citizens who organize a swimming pool group, solicit the necessary initiation fees from families in the neighborhood, obtain a site, arrange with a pool contractor for the construction of a modern and conveniently located swimming pool, and handle the management of the pool during the year. These recreational facilities are privately financed and operated without creating additional tax burdens on the local government.

They have many other values. We hear much these days about the problems of juvenile delinquency, young people who roam the streets in gangs, destroying public and private property, and costing local taxpayers untold millions of dollars for added police and fire protection. I am convinced that these neighborhood swimming pool associations can play an important role in furnishing the type of supervised recreational outlets which are so badly needed to halt the sinister advances of teen-age crime, vandalism, and delinquency.

Mr. Chairman, these swimming-pool groups also make possible wholesome and healthful family-type recreational activities for our children, young people, and their parents. They provide exercise and recreation and an opportunity to relieve some of the tensions of our modern-day living. From what I have seen of these organizations in my own community, I strongly feel that they are worthwhile and deserve encouragement.

In many cases the imposition of the 20-percent excise tax on amounts paid as dues and fees to these nonprofit swimming-pool organizations has proved to be an insurmountable obstacle in the organization of such a project. Some families who might afford the \$100 or \$200 initiation fee or stock purchase price must turn down membership because of the additional \$20 or \$40 needed for the tax as a result of the Internal Revenue Service interpretation of section 4241. This heavy tax burden has often caused the collapse of such swimming-pool projects. It is interesting to note that this tax is another example of a wartime levy which has been retained. The tax was originally an 11-percent levy, and was raised to 20 percent as war-tax rate in the Revenue Act of 1943.

A careful study of the tax status of these organizations convinced me their many unique characteristics actually places them out-

side the scope of section 4241 which levies the 20 percent tax on amounts paid as dues or fees to social, athletic, or sporting clubs. It seems abundantly clear that Congress never intended to impose the tax on nonprofit community swimming pool groups. The language of this section is virtually the same as when first enacted in 1917, except for the percentage amount of the tax. At that time nonprofit community swimming pool groups were nonexistent, having just come into vogue during the past several years.

Mr. Chairman, the Internal Revenue Service has nevertheless imposed that 20 percent tax on these organizations under what I feel is an erroneous interpretation of section 4241, contrary to public policy. The service contends that nonprofit community swimming pool groups fall within the definition of social, athletic or sporting clubs despite the weight of evidence which reveals the purposes of these organizations are not predominantly social, nor are they predominantly athletic in nature. They are unique as to organization, purpose and membership in furnishing private recreational services not otherwise available in a particular part of a community. In no way do they resemble country clubs, yacht clubs, golf clubs, athletic clubs, tennis clubs, or other similar organizations meant to be covered by the definitions in section 4241 which date back more than 40 years.

In March 1956 I introduced H. R. 10113 (84th Congress) to make it clear that these nonprofit community swimming pool organizations were exempt from the 20 percent excise tax. The bill was referred to the Forand excise tax subcommittee. It was subsequently amended and included in H. R. 12298, the omnibus excise tax technical changes bill introduced in the closing days of the 84th Congress. Hearings on this measure were held in November 1958. A number of witnesses representing these swimming pool organizations testified before the subcommittee and explained the unique organization and purposes of their groups. The subcommittee and full committee were unanimous in their decision to provide statutory exemption for these worthwhile community organizations. The exemption was written into H. R. 7125 as section 132 (b) and was passed by the House on June 20, 1957.

Unfortunately, the effective date of this exception, if enacted by Congress this year, will deny statutory relief to many of these organizations who paid the tax under protest. This will create a double standard in the tax treatment of swimming pool groups within individual communities or metropolitan areas. The ideal solution would be to make the exemption retroactive to cover the period during which such taxes were imposed, thus affording equity to all nonprofit swimming pool groups meeting the conditions specified in this section. No retroactive provision was included in the House bill, although I personally feel that it is warranted in view of the erroneous interpretation of the statute by the Internal Revenue Service.

If this committee does not feel that a fully retroactive clause can be written into the bill, I trust that the legislative history of H. R. 7125 will make it clear that Congress never intended that section 4241 apply to nonprofit community swimming pool organizations; that they are neither social, athletic, or sporting clubs or organizations within the definition of the original 1917 terminology as carried forth in the 1951 and 1954 Internal Revenue Codes; and that continued efforts of the Internal Revenue Service to apply this tax to these groups are contrary to the intent of Congress.

Mr. Chairman, I respectfully urge that this section of H. R. 7125 be retained by the committee because of its many long range

benefits to our individual citizens, the communities in which they live, our young people, and the health and welfare of our Nation as a whole.

ATOMIC ENERGY ACT OF 1953, AS AMENDED

Mr. PRICE. Mr. Speaker, by direction of the Joint Committee on Atomic Energy, I call up the conference report on the bill (H. R. 13455) to amend the Atomic Energy Act of 1954, as amended, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of the House of August 13, 1958.)

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FEDERAL SENTENCING PROCEDURES

Mr. CELLER. Mr. Speaker, I call up the conference report on House Joint Resolution 424 to improve the administration of justice authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 13, 1958.)

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SMITH] and the gentleman from New York [Mr. KEATING] may have the privilege of extending their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I want to go on record as being still very much opposed to H. J. Res. 424 as approved by the conferees. I am distressed, indeed, over the fact that section 3 of this measure, which had originally been removed from the bill, was re-

placed in the Senate and accepted by the conferees. In my opinion this is certainly not the way to bring about uniformity of sentencing and as a matter of fact will cause even more disparity. The passage of this bill may greatly impair the sentencing procedures with regard to narcotic violations, post office robbery, kidnapping, treason, murder, train wrecking and violations of the Atomic Energy Act.

My feelings on this subject have been fully supported by the majority of Federal judges in the southern district of California. It is our belief that to create rules to fix in advance the future treatment of a moderate or long-term prisoner is simply impractical and unjust to the prisoner and the social order. Each case is an individual problem. I believe that if we would have indeterminate sentences and then place the responsibility to fix the length of sentence with the Parole Board and in turn have responsible and competent individuals on the Board, including the warden of the institution, the results would be more in keeping with what is actually desired.

I am also disturbed over the fact that section 4, which raises the age of young adults offenders to 26, is included in this measure. Statistics show that more crimes are being committed, more officers are being shot, and more victims are being physically injured by individuals between the ages of 21 and 26. Raising the age limit certainly does not appear to be the wise thing to do.

I want to make my opinions a matter of record, Mr. Speaker, for I truly believe that if we pass H. J. Res. 424 we will be taking a backward step, and that within the near future it will be necessary to take appropriate action to correct our mistakes of today.

[Mr. KEATING addressed the House. His remarks will appear hereafter in the Appendix.]

TERMINATING FEDERAL SUPERVISION OVER THE KLAMATH INDIAN TRIBE

Mr. HALEY. Mr. Speaker, I call up the conference report on the bill (S. 3051) to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing in the alternative for private or Federal acquisition of the part of the tribal forest that must be sold, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 12, 1958.)

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H. R. 8381

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H. R. 8381.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDING SECTION 7 OF THE ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11133) to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 1 and 2, strike out "selected for appointment to" and insert "appointed to positions in the natural and mathematical sciences, engineering, and architectural fields, and to related technical."

Page 2, line 4, after "shortage" insert "in those skills which are critical to the national security effort."

Page 3, strike out lines 1 to 11, inclusive.

Page 3, line 12, strike out "(d)" and insert "(c)."

Page 3, line 16, strike out "5" and insert "2."

Page 3, line 17, strike out "law," and insert "law."

Page 3, after line 17, insert:
"(d) Nothing contained in this section shall impair or otherwise affect the authority of any department under existing law to pay travel and transportation expenses of persons designated in subsection (b) and (c) hereof."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, will the gentleman explain these amendments?

Mr. FASCELL. Mr. Speaker, this is a bill which was passed earlier by the House amending the Administrative Expenses Act so that it will be possible for the Government to compete with private industry in the hiring of highly skilled personnel.

The Senate adopted some amendments to the bill because we had two ways by which this could be accomplished. We could pay for his expenses and those of his family. Also, we had a provision in the House bill that if we invited a prospective applicant to a position we could pay his expenses.

The Senate struck that out and made it provide that if we hired the man and he agree to serve for the full period of time the Government will pay his expenses.

Mr. BROWN of Ohio. As I understand the amendments, they would apply only

to those employees whose employment is necessary in the national defense?

Mr. FASCELL. That is correct.

Mr. BROWN of Ohio. There has to be a finding of necessity.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Iowa.

Mr. GROSS. Does this in any way amend Public Law 313, which pertains to the employment of scientific and professional personnel?

Mr. FASCELL. No, it does not. Another Senate amendment specifically provides that nothing in this act shall change existing authority.

Mr. GROSS. It has nothing to do with supergrades?

Mr. FASCELL. The gentleman is correct. It deals strictly with those technical skills which are necessary for the Government to have in the national security.

There is one further Senate amendment. The original House bill contained a period of 5 years. The Senate cut that down to 2 years.

We think the amendments are in order and should be adopted.

Mr. BROWN of Ohio. Further reserving the right to object, as I read the Senate amendments to the bill which originally passed the House, this bill is now more restrictive language than was approved by the House.

Mr. FASCELL. The gentleman is correct. It preserves the principle of the House bill but restricts it considerably.

Mr. BROWN of Ohio. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CORRECTION OF THE RECORD

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to correct the RECORD of August 13, 1958, on page A7238, third paragraph, line 1, "Today the Weible" should be "Weibel."

On page A7239, first paragraph, line 1, "Freemont" should be "Fremont." Second paragraph, line 1, "Samford, who" should be "Stanford."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

IMPROVED METHODS OF STATING BUDGET ESTIMATES

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 674 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution, the bill H. R. 8002, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate

amendments be, and the same are hereby, agreed to.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may desire, at the conclusion of which I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, this is the so-called Kennedy-Rogers bill. Sometime ago the Senate passed this bill by a vote of 86 to nothing. We in the House Committee on Government Operations reported a bill not similar to the Senate bill but which passed this House by a vote of 311, I believe, to 86. There was a fresh bill sent to the Senate, and the Senate has sent the bill back with amendments, and the House Committee on Government Operations has unanimously approved that the Senate amendments be adopted.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this bill is one that passed the House back in March or April. I have forgotten which. It has probably had more propaganda support than any other bill that has ever been before the Congress, and more money spent, and I cannot yet understand how anybody could be for it if they had taken the time to read it. As it comes back from the Senate, the Senate amendments contain items which authorize the Congress to place in appropriation bills provisions for the transfer of funds between projects; one of the worst things we could have in any bill; one that will be an embarrassment on every appropriation bill that is brought in here.

It also contains a strikeout on page 3, lines 20 and 21 of the words "permitted to be placed in annual appropriation bills provisions pertaining to the availability of any appropriations or funds previously provided." That would mean that where an appropriation had ceased to be of service and was not necessary, the committee could bring in a repeal of it. The Senate struck that out. That was the only good provision there was in the bill. The rest of them are a handicap and will cost billions of dollars before we get through.

The Assistant Secretary of Defense, the Comptroller, Mr. McNeil, testified before the other body that it would require from 5,000 to 6,000 more clerks to take care of the work, the detailed work that would be called for by this.

Mr. RABAUT. If the gentleman will permit, only in that one department.

Mr. TABER. Yes; in that one department. That would only be a starter. It would spread like wildfire. It would be a great menace to any kind of decent, orderly procedure in the Government.

For my own part I have to recognize that propaganda has succeeded in putting this bill through the House and the other body, and probably this rule will pass. But I do not feel that I would be true to my oath of office if I did not come here and tell you that the bill was no good, that it was a menace, that it was contrary to proper and orderly procedure, and that we ought not to pass any such bill as this.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. RABAUT. I had put a higher estimate on the Hoover Commission than to think that they would go to the extent that they have gone here. We have a bill called H. R. 8002, and there is a title, but that is the only thing that remains of all they asked for. Still they are pressing for it. So it is a great temptation to say, "I told you so." There is not an ounce of this bill that was in it in the first place, that remains. All you have are the title and the number.

If the gentleman will yield a moment further, in the report of the other body they say:

The Congress has absolute control over expenditures by reason of its constitutional responsibility in the granting of obligational authority.

This bill seeks to take it away.

Mr. TABER. That is correct.

Those who spoke after I gave the foregoing statement made statements that the bill itself did something, but it does not. There is not a single thing in it that has anything to do with any bit of Government operations that are already not provided for by law, and there is nothing in it already that is not in the Budget and Accounting Act of 1920, or in the appropriating language of each annual appropriations bill as it comes to the floor of the House.

The President already has the power to submit anything that this bill gives him to the Congress in his budget message or any other message that he might determine to send. The accrued annual expenditure proposition is already provided for in all annual bills and all supplemental bills, so that the language of the bill relating to accrued expenditures is meaningless, and we now have accrued expenditure where the funds that are not either obligated or expended in any year lapse on the 30th of June of that fiscal year. The only bills that are not subject to the accrued expenditure are where the Congress specifically provides for the availability of funds for more than 1 year. That is necessary in the operations of the armed services, because of the length of time that it takes to procure ammunitions and munitions, and planes and tanks, and all sort of things like that, where the time of construction is so far away from the date of the appropriation that it cannot be planned to be completed within the year.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. Ford].

(Mr. FORD asked and was given permission to revise and extend his remarks.)

Mr. FORD. Mr. Speaker, I should like to point out several things that the Congress will do and one thing that the Congress will not do if this legislation is approved. First and foremost, if you turn to section 201 (f) in the bill, you will find this statement which I believe is significant:

Nothing in subsections (b) through (e) of this section shall be construed to change existing law with respect to the method or

manner of making appropriations or the incurring of obligations under appropriations.

Based on the above the net effect is that you are approving, in this legislation, no change whatsoever; it is purely and simply window dressing with the title of the bill number of the original bill.

Secondly, if you turn to section 201 (b) of the bill, in the other body they added a proviso to the language which this House approved originally, which reads as follows:

The President may include in the budget with any such proposed limitation on annual accrued expenditures, proposals for provisions authorizing the head of a department or establishment to make transfers, within his department or establishment, between such limitations on annual accrued expenditures; and such provisions may limit by amount or by percent the size of any transfer so proposed.

The prime reason given for this legislation was to gather into the fold of the Congress, the legislative branch of the Government, greater control over appropriations and expenditures, and by the inclusion of that amendment by the other body in effect we have opened the floodgates and have relinquished to the executive branch greater control over fiscal matters. In other words by this proposal the House will do the opposite of what many believe is desired, namely greater congressional control over fiscal matters.

The best provision we had in the bill as it passed the House was the provision sponsored by the gentleman from New York [Mr. TABER], which stated in effect that we could have authority in the House to strike, rescind or revise unobligated appropriations. That would have given us some authority that we did not have to save money, to cut down on unobligated balances. The other body struck that provision from the bill. It is not included in this version. At all costs the Taber amendment should have remained in the bill. Its deletion is against congressional control of the purse strings.

We are in error in three instances, as I have tried to point out. I for one want my opposition recorded as affirmatively and vigorously as I can.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. There have been many statements made about the great savings involved in H. R. 8002 as originally introduced. I think we all realize that this is merely a budgetary tool to be used by the Congress. May I ask the author of this legislation if it is not true that in connection with any accounting tool that is granted to Congress as far as budgetary procedures are concerned any saving that could be made, regardless of how the tool is used, is really up to the Congress? It takes real effort to cut spending on the part of the Congress after the granting of any accounting tool if there is ever going to be any saving, so any real saving could not be claimed on the basis of

this bill or on the basis of the bill as originally introduced. Is that correct?

Mr. ROGERS of Florida. I think the gentleman definitely is right. We can have the best plan possible but if the Congress does not use it properly and does not have the will to cut down appropriations any plan that might be devised would be of no avail. I think the gentleman is correct.

Mr. LAIRD. In other words, this is merely an accounting tool for Congress to use.

May I ask the cosponsor of the legislation, on our side of the aisle, the gentleman from California [Mr. LIPSCOMB] in regard to the large figures that have been bandied about on savings, and what those figures usually refer to?

Mr. LIPSCOMB. The Hoover Commission task force and the Hoover Commission both included in their reports statements that their recommendations would result in savings of approximately \$4 billion. That was based, according to their statement, on 8.5 percent of the controllable expenditures in the Federal budget. In my opinion as one of the sponsors of the legislation, an exact price tag cannot be placed on H. R. 8002. The gentleman is exactly right; this is an accounting tool to be used by Congress and the executive branch. Before this legislation came about, there were 31 recommendations by the Hoover Commission task force; 25 were accepted by the Hoover Commission.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan.

Mr. LIPSCOMB. The Committee on Government Operations reported and there was passed in the 84th Congress a bill which became Public Law 863, which provided for accrued accounting methods and cost based budgeting in Federal agencies. A great deal of the savings estimated by the Hoover Commission were to result from the recommendations included in Public Law 863, and it can be pointed out that this legislation is working satisfactorily and there have been savings in various agencies and departments though the amount has never been totaled and could probably not be accurately determined.

Mr. LAIRD. This price-tag figure was on all of the 31 recommendations not on H. R. 8002 as originally introduced. Is that correct?

Mr. LIPSCOMB. All 31 of the recommendations by the task force. The accrued expenditure recommendation is just one of the recommendations.

Mr. LAIRD. I thank the gentleman from California.

Mr. FORD. Mr. Speaker, may I conclude by saying that by the enactment of this bill we are not accomplishing one single thing, because in section 201 (g) it is stated that none of the procedures with respect to the method or manner of making appropriations shall be changed. Secondly, may I repeat, by the inclusion of the amendment of the

other body, we are in effect giving to the executive branch of the Government more flexibility and more control which automatically means that we, in the legislative branch, have less. Finally, may I say, by striking the provision which was sponsored by the gentleman from New York [Mr. TABER] the other body, and I presume we, now, will take away the real tool that could have been helpful in giving us in this body authority to make provisions for rescissions of previously made obligational authority.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. LIPSCOMB. The gentleman is a very prominent and effective member of the Committee on Appropriations. Is it not a fact that at the present time the Committee on Appropriations include in an appropriation bill transfer authority and in effect puts a limitation on them? Mr. FORD. We have the authority—so if you use that line of argument then this whole bill including that provision is of little or no effect. My only point is that this proposal is purely window dressing. It has the same number (H. R. 8002) and the same title as the original bill but after that there is no similarity between it and the initial version.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, we have battled over the bill, H. R. 8002, for many months. I have been among those in the House who have conceded the complete sincerity of those who sponsor this legislation, but I have felt all along that the legislation would do more harm than good. I realize we are now approaching the conclusion of the consideration of this issue. I have asked for this time merely to say again that, in my opinion, this is unwise legislation, and it will not be helpful to the Congress. I do not believe it will save money. I do not believe it will reduce personnel. On the contrary, I believe it will increase personnel. I regret that we are confronted today with this proposition. Of course, the bill has been vastly changed, as has been pointed out by the gentleman from Michigan [Mr. Ford] and others, but I still take the position that it is not wise legislation, and I want to be recorded as being among those who are opposed to it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

(Mr. WIGGLESWORTH asked and was given permission to revise and extend his remarks.)

Mr. WIGGLESWORTH. Mr. Speaker, I think the House is well aware of my position with respect to this legislation. I favor its adoption and I favor the adoption of this resolution to that end.

The bill, as has been pointed out, in substantially its present form passed the House on a record vote of 311 to 97 or by better than 3 to 1.

It then went to the other body. It was referred to the Committee on Appropriations of that body. Hearings were conducted. It then passed the

Public Law 85-749
85th Congress, H. R. 11133
August 25, 1958

AN ACT

To amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended, 5 U. S. C. 73b-3) is further amended by inserting "(a)" after the section number and by adding at the end thereof new subsections as follows:

Scientific
and technical
positions.

"(b) Appropriations for the departments shall be available in accordance with regulations prescribed by the President, for expenses of travel of persons appointed to positions in the natural and mathematical sciences, engineering, and architectural fields, and to related technical positions in the continental United States and Alaska for which there is determined by the Civil Service Commission to be a manpower shortage in those skills which are critical to the national security effort, and for expenses of transportation of their immediate families and their household goods and personal effects and for advances of funds to the extent authorized by section 1 (a) and (b) of this Act, from their places of actual residence at time of selection to their first duty station. Such travel expenses may include per diem and mileage allowance for persons selected for appointment as provided for civilian officers and employees by the Travel Expense Act of 1949, as amended. Travel and transportation expenses may be allowed whether the person selected for appointment has been appointed or not at the time of such travel. However, the travel and transportation expenses authorized by this subsection shall not be allowed unless the person selected for appointment shall agree in writing to remain in the Government service for twelve months following his appointment unless separated for reasons beyond his control and acceptable to the department or agency concerned. In case of violation of such agreement, any moneys expended by the United States on account of such travel and transportation shall be recoverable from the individual concerned as a debt due the United States.

Travel and
transportation
expenses.

63 Stat. 166.
5 USC 835 note.

72 Stat. 843.

72 Stat. 844.

"(c) The authority of the Civil Service Commission to determine for purposes of this Act positions for which there is a manpower shortage shall not be delegated. The provisions of subsections (b) and (c) of section 7 of this Act shall expire two years from the date of their enactment into law.

Expiration
date.

"(d) Nothing contained in this section shall impair or otherwise affect the authority of any department under existing law to pay travel and transportation expenses of persons designated in subsection (b) and (c) hereof."

Approved August 25, 1958.

448-A
17

3
3540 E